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Dialogue and Christian Ethics: commending virtue in a pluralist society

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Abstract of Thesis

Dialogue and Christian Ethics:
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This thesis examines the challenges to Christian ethics posed by the model of round table dialogue.

It opens with a case-study description of the round table approach and then surveys some contemporary works in the field of ethics in the light of Alasdair MacIntyre's critique of modern moral discourse. This review leads to a proposal indicating how the round table dialogue may be a suitable model by which Christian ethicists may engage with a range of other moral perspectives.

The next three chapters explore different aspects of work which may usefully contribute to an understanding of the method and function of dialogue for ethical discourse. These aspects include general and specifically Christian reflection on dialogue, the Harvard Negotiation Project and work from those engaged in inter-faith dialogue. Consideration is then given to contributions by the philosophers Gadamer and Habermas on the extent to which absolutes operate within thought and conversation. Thirdly, there is a discussion of how a dialogical approach could affect the methods of Christian ethics.

There are then reviews of two important and contrasting areas of contemporary ethical confusion: euthanasia and pornography, each discussed over two chapters. These four chapters develop and attempt to apply what has been learnt from the previous section.

Finally, there is an assessment of the extent to which the round table model of dialogue may be used by Christian ethicists and an identification of those aspects of the model which need consolidation or further development.

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Chapter 1

Introduction

> I must observe that goodness is of a modest nature, easily discouraged, and when much elbowed in early life by unabashed vices, is apt to retire into extreme privacy. (George Eliot)[1]

In 1987 the Church of England's Board for Social Responsibility published a report by a working group which had been chaired by the Archbishop of York: ***Changing Britain: social diversity and moral unity***. This report was intended to contribute to the developing debate about Britain's future as a pluralist society. In doing this the authors wanted to move beyond consideration of individual problems to the 'most fundamental and intractable differences...those which lie in the field of beliefs and values.'[2] A central assumption behind their work is the idea that we may assume a common basis for all morality: 'the content of different [moral] traditions may coincide to a remarkable degree, even though the source of the obligation felt and the commitment given may differ.'[3] The churches are seen as one of the providers and stewards of these moral traditions but that does not

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[1] ***Middlemarch***, 1871-2, edited by David Campbell (1991), i, p. 283.

[2] ***Changing Britain***, para. 21, p. 8.

[3] Ibid., para. 51, p.19.

give them any special basis on which to contribute to the debates, rather they appear to be excluded from such a role: 'it is foolish to imagine that the churches in Britain could in some sense stand over against the rest of British society, and address it as if they did not share its problems.'[4]

Changing Britain, however, is seriously flawed in that it excessively circumscribes the role of the churches in any discussion of values. The Christian churches have highly developed traditions of moral discourse matched with a concern to think and work for the benefit of others. While it is good to read in the report of a sensitivity to both past mistakes and the possible confusions that theological language may create, this should not lead the churches to adopt a reactive role in the task of shaping a new moral framework for pluralist Britain.

The authors of ***Changing Britain*** suggest *koinonia* as a word which describes afresh the ideas they think could form a common basis for morality:

> *Koinonia* seeks to hold together the two basic values of freedom and capacity for relationship in a dynamic tension of individuals-in-community which does justice to both. It would seem to offer the challenge and the possibility of individuals existing for, and finding their

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[4]Ibid., para. 181, p. 64.

> personal fulfilment in relationship with, one another.[5]

While it is admirable to talk of *Koinonia*, virtually nobody else does and as the report acknowledges the word, with its intended associations, would need to find its way into common speech.[6] This idea is too general to provide a practical basis for a new common morality. When engaging with pluralism greater clarity is needed than the report shows. In particular there is no method offered by which the general principle of *koinonia* may be applied to the developing debate in Britain.

The limitations of ***Changing Britain*** are a symptom of a more general malaise. Most contemporary ethical problems cannot be solved or even addressed adequately by one interest group alone. In a pluralist society there are many ethical traditions: some are secular others are religious. It is no longer appropriate or desirable that, even if there is one, the dominant interest group should determine the moral point of view on any issue on behalf of others. Nevertheless, that is how things have been done until relatively recently and it is this history in Britain from which the Church of England's report ***Changing Britain*** wisely seeks to

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[5]Ibid., para. 63, p. 23.
[6]Ibid., para. 68, p. 24.

distance itself. We need a new way of thinking about how to develop ethical perspectives and of communicating those insights within societies which now have a fragmented and thus only a very limited form of common moral vision. This will involve trying to work with a consensus model in ethical debate, as in other areas of common interest. What is not clear is how this process may work and how individual traditions of ethical thought may contribute constructively to the debate.

i background to the ideas

My initial interest was to understand how contributions from Christian ethics may be made to society's ongoing moral debates. The practical background to this interest developed when I was vicar of an city-centre parish in Wellington, New Zealand. My predominantly gathered congregation was made up of many individuals, both women and men, who were involved at senior levels in the government, diplomatic, trading and banking concerns of the capital city. They wanted to apply their faith in the workplace and tried to make connections between what was demanded of them by their faith and the situations they addressed at work. However, they found this difficult particularly when recommending the virtues of a course of action or point

of view because of its implicitly Christian character. When an idea was challenged, for these people to say that they thought it was an appropriate course of action because it seemed a Christian thing to do, did not help their cause. Christian morality needs to be sensitively commended in modern pluralist societies which may be both indifferent to or ignorant of it. The original context of the ideas developed in this thesis is that of the professional middle class and the model of dialogue offered reflects that limited background and social structure. While not ultimately restricted to this context, the model of dialogue will require sensitive moderation and development should it be applied more widely. Even in societies which were traditionally Christian, there are now competing moral traditions and claims. Here too, a Christian perspective needs to be presented in a way that commends itself on its own merits.

In pursuing this issue, I use the metaphor of discussion around a table. This idea came from watching a television debate on the subject of euthanasia. Television discussion programmes are necessarily limited by time and the need to entertain in the opportunity they afford for the detailed exploration of ideas. However, there are at least two areas in which these popular discussions reflect wider

difficulties in moral discourse. My example, drawn from a New Zealand broadcasting channel and shown in 1988, will serve to illustrate the point.[7]

There were ten participants and a chairman who was also the presenter, involved in making programmes which explored religious and moral issues. The group was composed of two individuals representing the Christian churches (one Roman Catholic and one evangelical fundamentalist), along with a medical ethicist, two doctors, a philosopher and others who were present on the basis of direct involvement in the issue under debate, as either carers or health care professionals. The debate began with the chairman inviting the two Christians to comment. Both did, stating rather than arguing that euthanasia was not an acceptable option. The discussion then broadened to include the other participants. The issues were soon seen to be more complex than either of the Christian speakers had allowed. The two Christians found it difficult to re-enter the discussion after their opening contributions and whenever the chairman tried to bring them in they

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[7] It is obviously not ideal to refer to an example which is not available on video-tape or script for reference. However, I have decided to use the programme on the grounds that the two important issues were very clearly covered in the discussion and it is the particular example that set me thinking along these lines. Similar patterns can be seen in some British television discussions.

had difficulty in convincing the others of the relevance of their perspective to the matter under discussion. In the end, the discussion stopped without conclusion except to acknowledge that that the subject was very complicated. The closest any participant or viewer might have come to a conclusion is the idea that moral decisions in this area might be a matter of personal choice. This point is directly connected with two important features of this discussion: that the differing opinions appeared to be essentially irreconcilable and secondly the relegation of the religious point of view to the margin of the debate.

The conversation mainly focused on practical issues which were connected with more abstract themes. One example illustrates both of my concerns. One of the Christian participants was caring for an elderly and ill parent. He envisaged continuing with this for some time and understood what he was doing as part of his Christian responsibility. Not to do so would be to fail in an obligation to care for another. His concern focused on his own responsibility to offer care and support. He did not think that the recipient of his attention might be in a position which meant that she, having both benefitted and appreciated it in the past, might now choose to be without it. Any suggestion that it might be kind to let his mother die was met with the

clear and confident remark that it was not his business to take another's life. There was a reluctance to acknowledge the suggestion that another might legitimately be able to share responsibility for the decision.

This participant's basis for his care was his Christian faith. While that was clear in the discussion, it was equally clear that this perspective was not shared by all the other participants and even that those who did share it did not necessarily find that it led to the same conclusions. The issue of what might be the kindest thing to do for his mother and the prohibition on killing were both discussed. However, these discussions, and especially that on killing, led to two apparently immovable positions. One group regarded killing as always unacceptable, on the basis of the Ten Commandments and the biblical view of life as sacred because God given, and the other arguing that to take a human life is acceptable in some circumstances. As a consequence of this difficulty and division in the discussion, some of the participants without a religious perspective became irritated with those who held Christian points of view and yet appeared unable to agree with one another. This led to a challenge to the Christian perspective, in terms of its relevance to the discussion and the suggestion that the issue would

be clearer without religious confusions muddying the waters. The idea, from ***Changing Britain,*** of persons-in-relation or *koinonia* was evident in the concerns shared by the participants but it did not result in a satisfactory outcome to the discussion.

This conversation, in all its unsatisfactory nature, illustrates some of the common problems of moral debate which will be explored in this thesis. Any development from here must address the two main difficulties that were part of the television discussion. These points are: a) there exist a plurality of moral perspectives representing differing cultural traditions and these lead to some confusion in moral debate;[8] and b) the fact that religious perspectives are no longer commonly accepted (even in traditionally Christian western societies) and may have to struggle to demonstrate relevance in order to be considered in the debates. Here, the first of these points will be discussed further, initially in the terms identified by Alasdair MacIntyre. The debate provoked by MacIntyre's ***After***

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[8]While we are now aware of this difficulty in reaching conclusions in moral philosophy, the idea that one system is self-sufficient is still present in the work of some leading writers. Terry Eagleton makes precisely this criticism of Iris Murdoch's survey of moral philosophy in his review of her ***Metaphysics as a Guide to Morals*** (***The Guardian***, 20 October 1992).

Virtue[9] and its sequels provided valuable reflection on the difficulties of moral discourse because of the perceived incompatibility of various moral traditions. MacIntyre's analysis provides a good starting point for considering my concerns within a wider sphere.

ii MacIntyre's ***After Virtue***

> 'We...inhabit a culture in which an inability to arrive at agreed rationally justifiable conclusions on the nature of justice and practical rationality coexists with appeals by contending social groups to sets of rival and conflicting convictions unsupported by rational justification. Neither the voices of academic philosophy,...nor those of the partisan subcultures, have been able to provide for ordinary citizens a way of uniting conviction on such matters with rational justification. Disputed questions concerning justice and practical rationality are thus treated in the public realm, not as matter for rational enquiry, but rather for the assertion and counterassertion of alternative and incompatible sets of premises.'[10]

Here we see MacIntyre's thesis in outline: he attributes the contemporary moral confusion to the difficulties in resolving moral discussion in societies which include or draw upon several moral traditions. The conclusions that worked in the past did so because

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[9] Published in 1981, second edition with postscript, 1985. The two following volumes are ***Whose Justice? Which Rationality?*** (1988) and MacIntyre's Gifford Lectures, ***Three Rival Versions of Moral Enquiry*** (1990).

[10] ***Whose Justice? Which Rationality?***, pp. 5-6.

they were both developed and employed within the same system and consequently were consistent with its premises. Since MacIntyre's analysis, it is no longer possible to work as if one moral framework is self-sufficient.

He discusses the 'interminable' nature of contemporary moral debate and analyses it in terms of three related features.[11] There is a 'conceptual incommensurability' of rival points of view, whereby arguments which are logically consistent may be found to be in conflict and thus there is no rational or external way of assessing their strength, one against another. MacIntyre's second observation is that this difficulty is compounded when these arguments are deliberately expressed in impersonal language. He shows these two features operating together in the example of abortion. The arguments centre respectively on the unborn child's right to life and a woman's right to determine what happens to her body. Both arguments build upon objective criteria and are concluded with the evasive, but persuasive and pervasive language of 'rights', yet either can be a vehicle for emotive personal opinions, disguised under a superficial objectivity.

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[11] ***After Virtue***, pp. 8-10.

MacIntyre explores further this experience of ethical stalemate in his third point by arguing that all ethical theories developed and held sway within particular world views 'in which they enjoyed a rôle and function supplied by contexts of which they have now been deprived.'[12] Differences could be resolved and conclusions reached more readily in Plato's academy, or the medieval chapter-house, because those participating accepted a common world view, with a consequent unified perspective on ethical issues. Contemporary debate often uses concepts that are specific to a philosophical system within which they were originally developed and now employs them sometimes without reference to that system and in circumstances different to those in which the idea was originally applied.[13]

The main change from the coherent system to the present confusion stems, in MacIntyre's eyes, from the

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[12] Ibid., p.10.

[13] The Principle of Double Effect is now often applied in medical ethics with only passing acknowledgement of its scholastic background. The original problem it addressed, that of killing in self-defence, is far removed from its present application. Discussion of some contemporary misapplications of the principle of double effect may be found in: James F. Keenan, 'The function of the Principle of Double Effect', ***Theological Studies*** 54 (1993), pp. 294-315. The principle of double effect and its specific use in euthanasia is examined in some detail in chapter 6 below.

eighteenth century Enlightenment. A separation developed between views of the nature and purpose of humankind and any assessment of moral behaviour: 'once the notion of essential human purposes or functions disappears from morality, it begins to appear implausible to treat moral judgements as factual statements'.[14] Thereafter, moral points of view rest on a level with personal opinions. What we see as the responsibility to exercise detachment in ethical dilemmas (attempting to stand outwith the context of any decision under review in order to understand it better) is, according to MacIntyre, a means by which such a review may become more difficult. Referring to the Homeric world of ***The Iliad***, he writes: 'All questions of choice arise within the framework; the framework itself therefore cannot be chosen.'[15]

MacIntyre's analysis is very helpful but there are some difficulties. It is not clear that any one moral

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[14] Ibid., p.59.

[15] Ibid., p.126. It is precisely to the classical world of Aristotle that MacIntyre turns for his model of the virtues as the beginning of his reconstruction of moral dialogue. The main point he makes about Aristotle's view of the virtues is that they stemmed from the philosopher's view of the end of humankind. MacIntyre's view is that 'the whole point of ethics - both as a theoretical and a practical discipline - is to enable man to pass from his present state to his true end.' (***After Virtue***, p. 13) MacIntyre's discussion of the virtues flows from this conviction.

tradition was ever as pure as he maintains. Philosophers in the past probably needed to engage in some creative translation between systems of moral reflection. Secondly, if things are as bleak as he claims it is very difficult to see any way beyond the present confusion.

These criticisms have been developed by Jeffrey Stout, whose ***Ethics After Babel*** (1988) is in part a response to MacIntyre's thesis, addressing particularly the issue of the extent to which it is possible for there to be discourse between moral traditions. Stout re-assesses the moral chaos which MacIntyre has identified and comes up with different conclusions about its effects. While agreeing in part with both the causes and characteristics of the contemporary moral climate, Stout takes issue with MacIntyre over the extent to which it is possible to translate terms and concepts between different moral traditions. In Stout's eyes, while it is not easy, it is certainly possible to make equations of value and meaning to the extent that communication is possible between moral traditions of widely differing provenance.[16] The contemporary scene

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[16]Stephen E. Fowl discusses the ideas of translation in MacIntyre and Stout in: 'Could Horace talk with the Hebrews? translatability and moral disagreement in MacIntyre and Stout', ***Journal of religious Ethics***, 19 (1991), pp. 1-20.

where many traditions find themselves considered alongside one another in attempts to address varying ethical problems is just the way things are. Stout does not think it is worth lamenting this nor trying to change it by developing a new ethical common language, rather we must live with it and find ways of overcoming the difficulties. Stout concludes that a degree of common sense must inform our ethical reflection in terms of what it is possible to achieve. We must be prepared to gather moral insight from a range of sources, developing perspectives by weaving together compatible strands of traditionally incompatible schools of moral thought.

Stout also comments on the role of religious ethics in contemporary moral discourse, the second area of my concern identified in the television discussion programme. He attributes the marginalisation of religious ethics largely to the limitations of its representatives:

> Theologians, when addressing the faithful, usually assume the answer to be obvious or give an answer that could serve as motivation only to the faithful. The same theologians, when addressing a general audience on a specific moral problem, typically search for common assumptions in a way that blurs any distinctive contributions of their religious traditions.[17]

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[17] ***Ethics After Babel***, p. 124.

Stout offers three reasons why religious ethics should not be ignored and deserve consideration within wider moral discourse. First, Stout claims that it is not possible to properly understand even modern secular moral discourse without reference to the traditions of religious ethics which have influenced them. Second, there is much to be learnt from the religious traditions of ethics even if one does not accept their theistic premises and conclusions. Finally, however secular moral discourse has now become, religious ideas still influence the thought and actions of individuals. In trying to understand the people, the philosopher must understand the religious ethics which have motivated them.[18]

I hope to show that more can be claimed for religious ethics, but Stout has reinforced my initial concerns. In terms matching the example with which my reflections began, he asks of religious ethics:

> How, then, might theology rejoin the conversation under such circumstances? How can it initiate a dialogue not only with its own tradition but also with the several voices of secular culture?[19]

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[18]Ibid., pp. 187-8.
[19]Ibid., p. 164.

iii the proposal

Having outlined two determining aspects of contemporary moral discourse which are addressed in this thesis, I want to return to the idea of round-table discussion mentioned above. This is intended as a metaphor which will provide a means of exploring the possibilities of developing an alternative way of entering and sustaining moral discourse in pluralist societies. Such a table would have positions of equal importance for all those who wish to take part in the debate. There would be no prior positions of authority. This is in direct contrast to situations where particular groups have positions of influence as of right and which may be used to sway or influence opinion, such as the Church of England's episcopal representation in the House of Lords. Equally important is the idea that all who wish to take part in the spirit of the developed principles are called to the discussion: not only may no group take priority, any may in principle participate. This point should ensure that there exists for ethical reflection a wider frame of discourse and values than may emerge if individual cultures are left alone to select the participants. In particular this provision of all being called to participate encourages contributions form the secular point of view within religious

traditions and from the religious point of view within secular cultures.[20]

However, while any may join there must be guidelines agreed between the participants to ensure that the process remains open to its initial purpose. It is essential that contributors begin with both a willingness to contribute to the process and through it to the debate about the issue in hand and from a position of respect for the opinions and points of view

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[20]For a discussion of the threat to religious participation in the public square, see Ian S. Markham, ***Plurality and Christian Ethics*** (1994), pp. 117-123. Markham draws his main metaphor of the public square as the place for contemporary decision making from the work of Richard J. Neuhaus, whose ***The Naked Public Square*** (1984) outlines the concerns of conducting business and decision making in a secular context. Markham's argument is that it is possible for there to be commitment to particular positions and points of view within a pluralist society. This provides for Christian participation in the public square and indeed he argues it is only the rational theist's world-view that is best suited to protect the freedom of such debate. He reviews recent trends in British and North American Christian ethical reflection and finds that where one, the British, laments the end of the unified view possible within Christendom and ideally would like to return to such a position, North America has embraced pluralism and sees it as a strength which can facilitate political and economic decision making. Central to Markham's argument is the rehabilitation of the idea of tolerance.

of the other participants.[21] The establishment of a common base for the conversation will be very important and will be one of the first tasks of the gathering. This common basis will provide a position from which to assess the differing perspectives offered. In the case of euthanasia, for example, the common basis of all positions might be care of the patient. In discussion the participants must be prepared to take account both of the views of others and open to acknowledging that their own perspective may be enhanced by the opinions of others. At every stage, each step needs to be understood as part of a mutually adopted process which can only work and be sustained with the support of all participants. Along with these points there needs to be a commitment to develop and work with a shared outcome, the nature of which may not

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[21] A willingness, either implicit or explicit, to allow value to the perspectives of others in the moral arena is essential in developing a morality for pluralist societies. For example, Paul Kurtz, the author of ***Forbidden Fruit*** (1988) subtitled 'the ethics of humanism', writes in an interesting and informal fashion about contemporary moral issues. However, his working perspective is opposed to a religious framework for ethics and his thesis is an attempt to provide a purely humanist ethic. He has developed this approach in his ***Eupraxophy: living without religion*** (1989). It is difficult to imagine that he can contribute to a discussion which sets out to be deliberately inclusive from that premise. Kai Nielsen's ***Ethics Without God*** (1972, revised and expanded 1990), which strongly advocates the idea that ethics needs to separate itself from the concerns of theology obviously comes into this same category.

be clear at the outset of the discussion. While this approach may not result in conclusions which satisfy all parties to the discussion, it may be that such conclusions that are reached command respect, if not full agreement.

Here it is important to identify briefly a central issue in the development of this model: that of moral absolutes. Where a participant employs moral absolutes, then it is important to recognise the possibility of disagreement. This will arise from competing claims and positions which need to be recognised and accepted as part of the negotiation process by all participants. Those who hold to moral absolutes are likely to be clear about the consequences of such opinions. Within the context of the dialogical process of ethical reflection that is being tentatively outlined here these consequences will become subject to negotiation along with the moral absolutes. Those who question the existence of moral absolutes must engage with others holding them.

Having set out an initial model of what the metaphor might involve, before it has been developed and refined through application, it is also appropriate to indicate specifically why it appears desirable. The anticipated advantages of the proposed scheme are

several. It may enable the parties to any moral disagreement to find a way of clearly identifying the issues around which decisions must be made. There is the opportunity, as with every conversation, of beginning afresh. Thus, it may be possible to understand what has already been said in a new light. There is the possibility of talking around and negotiating in the face of difficulties. All participants have a chance to learn from the encounter and to develop their own positions in response to both what they have learnt from the other points of view and from the impact of the obstacle on their own point of view. By this means, the model may provide a way of avoiding MacIntyre's 'interminable incommensurability'.

There are three other areas where an approach to ethics in terms of dialogue could be helpful. One is the sense in which understanding the process of ethical reflection as a conversation also provides an analytical tool. In this sense the confusion that is part of contemporary moral discourse may be disentangled through the identification of the different strands. Through this process, patterns that have led to confusion and stalemate may be discerned and traced so that their influence might be better taken account of in future encounters.

Another, the first of two clear applications of the ethics of dialogue, is the contribution it may make to the developing idea of moral communities. MacIntyre's famous plea at the end of the first edition of ***After Virtue*** called for 'the construction of local forms of community within which civility and intellectual and moral life can be sustained through the new dark ages which are already upon us.'[22] Since then the idea has had wider currency and was developed slightly by Jonathan Sacks and much more by Robin Gill.[23] Each of these proposals for the development of communities of virtue pays insufficient attention to the manner in which the virtue discerned and nurtured may be communicated either between such communities or from such communities into the wider world. MacIntyre's initial image of the medieval monasteries stewarding knowledge through the dark ages carries with it the idea of the considerable converse that went on between monks of the same and differing orders. If such communities are again to be the hope of civilisation they will need to be skilled in

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[22]***After Virtue***, p. 263.

[23]Jonathan Sacks, ***The Persistence of Faith***, the Reith Lectures for 1990 (1991); see especially chapter 6, 'A Community of Communities'. Robin Gill, ***Moral Communities***, the Prideaux Lectures at the University of Exeter in 1992 (1992).

communicating that which they develop and foster.

iv the thesis in outline

Three concerns should be mentioned here before describing briefly the structure of the argument which will be developed in the thesis. There is a danger that parts of this thesis will seem like a survey of texts and ideas drawn from other works. Reviews of other work have been necessary to inform the developing argument. This is particularly true in the early chapters which try to set out examples of work in fields other than ethics which have a bearing on the development of a set of principles of dialogue. It has also been necessary in the two case studies, of euthanasia and pornography, where especially in the latter there is a need to be very clear both what is actually being considered and secondly what is being said about it. In the discussion of euthanasia, which is a much better documented topic, I assume a degree of background knowledge and have chosen four individual instances or arguments which give particular glimpses into the problem. There has been a tension throughout the preparation of this thesis between providing both sufficient evidence of material on which to base my argument and adequate background information to render discussions of the ethical topics intelligible.

This difficulty connects directly with my next concern, which is that the discussion has been developed entirely within a mono-cultural pattern. In my SPG year reading report I looked at patterns and influences in medical ethics in Judaism and Islam, as well as in the Christian and western secular traditions. It would have been good to continue this interest by developing positions around the table which represented these traditions. However, this was not feasible. It would have made the treatment of any topic either too large to be practical or too superficial.

It will be evident already that the writing of this thesis has been something of a journey in which I have been exploring and developing an idea in response to limitations in moral discourse. In presenting my response to the problem, I am also presenting the manner in which the enquiry has been conducted. In identifying the practice of ordinary conversation or dialogue, where we work to communicate across various barriers and around obstacles, as providing a way forward, I set out to examine the evidence. Without consciously following any of the principles of liberation theology, I realised as the process developed that there are some parallels between the approach gradually developed here and the ideas and practice of liberation theology, although these have

not been explored because again to do so would risk treating important material superficially.[24] The process initiated in this thesis but not completed in it, aims at learning by engaging in dialogue. I have tried to show in the two case studies how the process might develop further in terms of testing the principles offered and refining them in the light of experience. The process is not complete and the conclusion will identify those aspects of the argument which need further discussion or which need to tested out in wider circumstances or contexts more varied than has been possible here.

In the next three chapters I will explore three main areas of thought from which it is possible to draw lessons and ideas which can be used to develop and refine a model of ethical discourse based on principles of dialogue. These chapters will be followed by sustained discussion, each of two chapters, of two major contemporary ethical issues: euthanasia and pornography. Finally there will be an attempt to

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[24]There is a limited parallel in the idea of the method developing through application to actual situations. Paulo Freire, in his ***Pedagogy of the Oppressed***, translated by Myra Bergman Ramos (Harmondsworth, 1972), discusses dialogue in terms of the concerns of those whose right to speak and act has been denied them. See especially chapter 3 of ***Pedagogy of the Oppressed*** (pp. 60-95) and Appendix 1 of this thesis, on Power and Dialogue.

assess what has been learnt about the feasibility of developing an ethics of dialogue.

Chapter 2

Dialogue as a Basis for Ethical Reflection

If dialogue is to provide a new way of coming to terms with some of the difficulties causing contemporary moral confusion, then it is necessary to think clearly about what is understood by dialogue and in what sense it might function in the area of moral discourse. In this chapter I will identify some characteristics of dialogue which may help in this task. These will be drawn from a range of sources. General reflection on dialogue will move to consideration of two texts, each quite different but both addressing the issue of the importance of dialogue. In their different ways both books provide some useful guidelines for this project. This will be followed by a discussion of some principles drawn from inter-faith dialogue.

i towards dialogue

A dialogue can be simply two or more people communicating - usually though not exclusively by speaking. In drama as in life, they need not be agreeing, seeking agreement or indeed even effectively addressing each other. It matters only that they are in the same place at the same time and speaking in one another's presence. Another form is represented, for

example, in Plato's ***The Republic*** and other works, where the dialogue is a highly structured series of arguments, discussing the validity of various points of view, assessing them in terms of the concerns, interests and problems of the participants and their society. Somewhere between these two models is the experience of most of us. In conversation we discuss issues of common concern and develop different opinions about the options before us through a mixture of our personal experience and the common received wisdom of our group. It is this last type of dialogue, of the three mentioned, that may hold possibilities for contemporary moral debate.

What might we look for in dialogue, to make a difference in moral discourse? Good dialogue involves at least a two-fold process whereby the participants expect both to learn about their own point of view and that of the other participants. There is no point in entering a dialogue if we are not interested to learn about the other's position: not just what it might be, but how it is arrived at and how it might be sustained. Along with this interest in the other's point of view there needs to be a willingness to allow one's own opinions to come under similar scrutiny. This is a key feature of the process, whereby we might come to understand our own position better. In this way, even

with the simplest idea of effective dialogue, the process is recognised as being one of mutual learning. These observations make it clear that the process must be based on an initial sense of mutual respect among the participants for the positions they represent. This is essential if there is to be the degree of mutual clarification and learning that is necessary for the dialogue to go well, challenging assumptions, eliminating confusions and developing a sense of trust in the process as a whole.

If any party enters the dialogue without these expectations then the process is hampered at the outset. When dialogue opens assumptions must be questioned and the purposes of participation clarified. This process of mutual clarification often happens naturally. If the process of dialogue is to work, then it is essential that both or all parties are fully committed to the enterprise. This means being prepared to accept that the process itself may have valuable outcomes quite different from those hoped for in terms of one party's initial position. The experience of dialogue may lead the participants to see or understand new perspectives as a result of their collaborative efforts. It becomes a learning process resulting from the sharing of perspectives which is necessary for mutual understanding.

At this point two difficulties may be identified. The first is that while is it relatively easy to discuss dialogue in principle and its general value, it is very difficult to effect it in some circumstances. There are some situations in which dialogue seems virtually impossible. The second point is that people are often only prepared to participate in discussion when they are clear about their own point of view. They will speak when they are sure what it is they are going to contribute: that is they wish to speak from a position not only of some personal clarity but one that is the result of some consideration. This means that when they speak they do so from a position of having reached an opinion on the matter under discussion. However tentative this position may be, it is always more difficult to get people to review a position fully when they have moved most of the way towards making up their mind. The best form of dialogue takes place when people have not made up their minds on a topic and are still open to considering several possible alternatives. Then a genuine exploration of possibilities can ensue.

Two further ideas are valuable in the process of dialogue. It matters that there is a common commitment to rationality in all aspects of the discussion. This applies not only to conclusions but also to ways of

arguing. It is only possible to question and challenge what is said in discussion if all participants accept the idea that reason is the basis for all points held and conclusions suggested. There will inevitably be perspectives held passionately and strong arguments used but these can and must still be rational otherwise there is no means of engaging with them in discussion as part of a process of mutual clarification. The second point is recognising that all conclusions reached will be to differing extents relative to the particular dialogues from which they emerged. They may not be capable of application beyond the circles within which they were originally conceived. This contingent nature of conclusions is likely to pose particular problems to those participants representing traditions which have made universal claims for their points of view.

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There are other approaches to dialogue which could help us further define a model which may be of use to ethics. In the following discussion of two selected books, knowledge of the immediate background and intentions of the writers helps us understand some of the shortcomings of the texts when considered for our purposes. Neither book is aimed at the discussion of

ethical or moral problems and it is essential that this is borne in mind as we consider what they offer in this field by way of reviewing seriously the limitations of each text. I have used these books precisely because they do not comment on the field of ethics or even relate to it directly and because they represent very different approaches. They are drawn from the world in which any proposed dialogical method for ethics will have to function.

Reuel L. Howe's ***The Miracle of Dialogue***[1] is written in an obvious spirit of optimism and with the hope that through sensitive listening and attention we can understand each other better and thus work together more effectively. It is written by a Christian and addressing Christians, where a common commitment to a particular ideal of co-operative living can be assumed. Roger Fisher and William Ury's text, also North American in origin, was written some eighteen years later and reflects a very different climate and context. Their work, ***Getting to Yes***, describes the work on 'principled negotiation' which has been developed by the authors and others as part of the work of the Harvard Negotiation Project, based at the

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[1]Published in New York in 1963.

Harvard Law School.[2] International projects which have benefitted from the work of this body using techniques described in ***Getting to Yes*** include the Middle East peace negotiations at Camp David in September 1978. ***Getting to Yes*** aims to help people achieve agreement precisely where that looks difficult. A major emphasis of the work is on issues and concerns in the commercial world. Almost all of the examples employed stem from the negotiation of financial or legal contracts. This perspective is reflected in the phraseology of the book which uses financial figures of speech to describe the advantages of different approaches, such as: 'An apology may be one of the least costly and most rewarding investments you can make.'[3]

Getting to Yes is specifically aimed at those who need to negotiate settlements in situations which broadly speaking involve some direct form of loss or gain on the part of the negotiators. A further aspect of the approach employed by Fisher and Ury is clear from the subtitle: ***negotiating agreement without giving in***. Dwelling on these obvious emphases could lead to underestimating how much there is in common between the

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[2]Published in Britain in 1982 and reprinted seven times to 1987, the book has enjoyed widespread popularity and has been influential in national and international contexts.

[3]***Getting to Yes***, p. 33.

two broad approaches of this text and Howe and thus denying the value of some of Fisher and Ury's more pragmatic approach for developing a pattern of dialogue in ethics.

Fisher and Ury's approach is directly practical and it is clearly outlined at each point. They propose a method of negotiation which is built on four primary points. Before developing these points the authors make a general observation which is echoed in at least two of the points. They are keen that individuals participating in a negotiation should not have to bargain over positions or status. However attractive it might be to try to resolve disputes or disagreements this way, the difficulties are obvious. If in a dialogue there appear to be strong differences of opinion that look like being irresolvable, then a temptation might be for one party to decide that since they cannot win their point they might collude with the idea of being the weaker or less senior party in the discussion and thus allow the other to win, thereby gaining for themselves a degree of self-respect in the face of defeat. The attraction of such an approach is that a decision is reached and there is the hope that the positions tacitly agreed upon may be of use again at some later stage. The drawbacks are more obvious. They involve the discussion reaching a false or

temporary conclusion because of the way the parties colluded with one side winning, rather than following through and overcoming the difficulties of the discussion process. This in turn has unfortunate consequences because however attractive a strong leader or a compromise of one's own position may seem after an over-long discussion, the conclusion will not command real or lasting respect and may soon give rise to resentment in the 'weaker' party.

Fisher and Ury's first point is to 'separate the people from the problem'. By this they mean that it is important to acknowledge that all discussions are made up of a two-fold agenda of personalities and issues for discussion and given that that is the case then it is essential to distinguish clearly between the two. In doing this they recommend addressing the problems connected with the individuals first. This may be done by recognising the importance of various factors: trying to see the other's point of view, recognising the important role that emotion can play in any discussion and being open to the possibilities in the discussion both around one's own point and those of others. These points need emphasising in Fisher and Ury's context in a way that does not apply in contexts that are more centred on the value of the individual. The second point developed by Fisher and Ury is 'focus

on interests not positions'. Here they extend by application some of their initial observations on the problem of bargaining for positions and indicate how to make the move towards concerns and away from personalities. It is important to focus on the interest and concerns of the participants, identifying them and getting the individuals to explain and enlarge on their perception of the common issues or problems. Developing this approach a stage further takes Fisher and Ury on to the idea of 'inventing options for mutual gain'. This is more than just trying to keep everyone happy by making sure they get something at the end. Rather it is an attempt to look at the problem afresh and see how through methods as diverse as brainstorming and seeking expert advice the participants may move to positions from which they may identify shared interests. They may then move on to making decisions which take them as close as possible to the desired outcome. The final of the four points makes clear Fisher and Ury's concern to facilitate the process by 'insisting on objective criteria', points independent of emotional weight, which need to be identified or

developed and then sustained through the discussion.[4]

Howe identified some of these same concerns in ***The Miracle of Dialogue*** and further discerned two sets of ideas which are helpful to this discussion. The first is his notion of the 'dialogical person' and secondly there is his concern to list some of the changes produced by dialogue. The 'dialogical person' is integrated, open and disciplined.[5] What is meant by this three-fold description is that, firstly, individuals are fully aware of themselves and what is motivating them both generally and in their participation in discussion. At its best this means that an individual will contribute openly to the discussion and develop points as they arise rather than having a hidden agenda of which they themselves may be only partly aware. A person who is open to new ideas and perceptions, rather than one who has both made up his own mind about what he thinks and what he values in the thought of others, can make a very valuable contribution to dialogue. Openness in one's own

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[4]The second half of ***Getting to Yes*** is entitled 'Yes, but...' and explores how difficulties might be overcome using the four broad working principles outlined above. However, the situations and tactics envisaged - dirty tricks and deliberate non-cooperation - are beyond the sphere of the dialogues envisaged as part of the process of ethical reflection, and therefore are not considered here.

[5]***The Miracle of Dialogue***, pp. 69-83.

position can be releasing for others in discussion. When they see another participant prepared to be relatively unguarded in considering their own position, it can evoke in them a sense of confidence to do the same in regard to their own ideas and points of view. This two-fold openness is crucial to the development of effective dialogue. Without it the process is easily frustrated at an early stage and it is not possible to develop the trust that is essential. Neither of these two first aspects of the 'dialogical person' would amount to much without the third characteristic, discipline. A disciplined approach is essential for the individual participant and for the members of the group as a whole. The participants must accept common responsibility for the task they have set themselves and work at that within the parameters established to help the dialogue. They must be committed together to a good and fruitful outcome for the whole enterprise, not just for their own point of view. As individuals within the enterprise they must exercise discipline in two important areas in addition to those just mentioned above (that is, being integrated and open): discretion and courage. Discretion is required at the very simple level of resisting the temptation to control the dialogue and win approval through a mixture of overawing and silencing by continual domination. Courage is required because in any enterprise where

trust needs to be built up, risks must be taken in that process. Individual participants need to be prepared to risk exposing themselves and their points of view to criticism. This courage is required throughout the dialogue because there will always be occasions when a group may be moving towards a conclusion in a particular area and that direction may need challenging in terms of the thinking of the overall group. Sometimes points of conscience might arise and the dialogue needs then to take account of that issue for whoever has the courage to raise it.

Howe identifies two benefits of dialogue which are enjoyed as a result of changes produced by the process. They are the satisfaction that can be the product of good dialogue and, as important, the sense of new relationship achieved between the participants.[6] In outlining these changes, Howe describes four such features.[7] The first is that the activity itself creates within us the ability to do it successfully. That is we achieve the ability to usefully participate in dialogue through the experience of being part of such a dialogue: the characteristics of the 'dialogical person' are formed by the activity of dialogue. The

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[6]Ibid., p. 79.

[7]Ibid., pp. 119-121.

point being made is simple enough, that doing creates the disposition. How realistic is this? Given what has been said about both the difficulties of the process and the extent to which we can identify some of the potential obstacles as stemming from the participants, is it credible to think that we can overcome them simply by getting on with the process of dialogue? It takes more than knowledge of what is wrong to effect a change in behaviour. There has to be some clear change in understanding to facilitate a change in practice.

Secondly, the process of dialogue is capable of completely changing the way we understand what it is we have experienced. This is meant not in terms of what happens within the dialogue but rather that by seeing our previous experiences through other eyes we may come to value them differently because what they may mean for us changes. This can happen in a number of ways where experiences can be almost reversed in their impact on the individual. Thus within religious belief, doubt can change from being a burden and a seemingly intractable obstacle to faith into becoming a new beginning where the difficulties are seen as how things are and the basis of a fresh appreciation of what it can mean to believe.

Not only may dialogue open up new ways of understanding the previous experience of participants but it may also through a connected process create new options in the future. Where the process has been effective and the participants have contributed and listened with a degree of openness and worked together at the resultant possibilities before them, then the dialogue can lead to new avenues or openings. These may not have been envisaged by any participant before the process began. They are possibilities which have arisen from the process itself and could not realistically have been conceived of before the dialogue.

Howe's final point is that dialogue may reveal the comprehensive related character of truth. That is, in the process of discussion the participants may become aware of the extent to which their individual concerns and approaches have masked the fact that others have similar or at least not competing concerns expressed differently. This point represents most clearly the optimism which characterises his approach. MacIntyre's analysis of confusion in moral argument stems from his perception of our frustration at precisely this point. We are not all trying to work towards the same point or outcome, within differing but complementary frameworks. There may be points or even perspectives held in common but the present difficulties in moral discussions stem

from precisely a lack of awareness of how much is not held in common by participants in moral discussions.

Howe's concern with dialogue stems from his Christian faith. His concern is to see people in a range of situations improve their ability to get on with those around them. He wrote in a spirit of optimism. His thesis is that, given the importance of dialogue, we must learn to improve our skills in it and pay particular attention to any hindrance of dialogue. He argues for dialogue as a means towards solving problems which hinder our capacity for enjoying life in its fullness.

An obvious question to put to his work is, how well does it cater for the problems that dialogue can so easily run into? Howe certainly discusses the importance of overcoming obstacles to fruitful dialogue but not in a manner that conveys the tenacity of so many real life situations. Howe gives the impression that with effort and understanding almost every problem of confused communication can be solved. This does not take sufficient account of our fallen nature. There are situations which seem to defy the best will in the world and where misunderstandings are rife. Identifying a problem takes us some way towards a solution but more than that is required to get beyond

it. The hope of first identifying a problem and then assuming that the goodwill of both parties will be sufficient to overcome it, ignores important difficulties. Some misunderstandings arise from genuine confusions, some from disingenuous confusions and others both wilful, if not conscious, and those which are purely wilful. One of the early conversations in Genesis illustrates how easy it can be to say something other than the truth in response to a straight-forward question.[8] Sometimes we find conflicts or disagreements which appear to be beyond solution precisely because the participants need the conflict more than they desire its resolution. Howe's thesis is offered from within a specifically Christian framework and it is fair to criticise him from a theological point of view. Here he has simply not taken sufficient account of our sinful nature. As in Eden, disagreements arise in our conversations and relationships with others because of that side of our natures which can be selfish, deceitful and fearful.

It is in precisely this area where Fisher and Ury's ***Getting to Yes*** is valuable in spite of its limitations. It is written from a highly pragmatic point of view

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[8]See Genesis 3.8-13. Sissela Bok's ***Lying: moral choice in public and private life*** (1978) provides a sustained treatment of the wider issue of lying.

beginning from the very premise that reaching agreement in dialogue can be difficult precisely because of confusions and misunderstandings. The fact that agreement is both necessary but elusive is their reason for writing. Underpinning their whole discussion of 'principled negotiation' are two points which are valuable for our discussion of dialogue in relation to ethics.

The first is the notion that no discussion takes place in a vacuum or free from other experiences on the part of the participants. Every negotiation or series of discussions leading to a particular agreed conclusion occurs within a context of the pressures which impinge on that particular decision and what has gone before, for both the negotiators and for that particular project or problem under discussion. This is likely to have a direct and discernible influence both on the process of discussions and on the nature of the final decisions. The key negotiators are not always free at a personal or a political level to reach any agreement.

Fisher and Ury's second point, this time made explicitly, is the importance of insisting upon objective criteria in every negotiation. Here is a clear instance of the need for rational criteria behind each point of any debate. If achieved this may

facilitate discussion particularly when there may be an emotional involvement in the outcome. In conversation it is easy to be swayed by well presented emotive points or considerations and to confuse them with objective criteria in a way that makes a satisfactory outcome more difficult to achieve. A common example in Fisher and Ury's discussion is the issue of trust. In disagreements it is relatively straight forward for one party to put forward a point of view that may be questionable, but of course is not presented as such; and when the other party does make some attempt to verify it in discussion the response of the first party may well be to say something like: 'don't you trust what I am saying?' To question such a remark appears to jeopardise the discussion, but it must be done to reject the unfair connection between a questionable statement and the emotive challenge of the individual's integrity. The two issues can and must be separated. This can be done by pointing out that trust is not at issue, rather what is at issue is a fair or true presentation of specific facts or the giving of clear and objective assurances.

There is a temptation to use arguments in discussion which have their power because of particular points of view held rather than because of any objective weighting they may hold in the discussion in general.

However, positions must always be capable of being justified or explained in rational terms. This makes them accessible to criticism and development by other participants. A commitment to the use of rational premises in all aspects of dialogue heightens the ability of all participants to recognise and draw attention to those occasions on which they are not used. Not to use rational bases for contributions effectively puts what one says beyond criticism and thus is to make pronouncements rather than to engage in dialogue.

ii dialogue - the inter-faith dimension

These general considerations about the role and characteristics of dialogue have been useful in both affirming and developing some ideas which may be applied to ethical discussion. In the second part of this chapter I want to look at an area where dialogue is central to the process and see if there are lessons to be learnt from the inter-faith movement which may be adapted or developed for use within the ethical arena. As before, I am not claiming that there are direct parallels between the type of dialogue employed by the inter-faith movement and that required for ethical discourse. The point of this review is to see if an area of contemporary Christian theology, which has

begun to reflect on the process of dialogue, has any useful insights that we might learn from.

Hans Küng has drawn our attention to the importance of inter-faith dialogue in a particularly vivid way and one which illustrates the urgency of the task by pointing to the consequences if it is ignored. In his ***Global Responsibility: in search of a new world ethic*** (1991) he sets out clearly a three stage programme of concern: no survival without a world ethic; no world peace without religious peace; no religious peace without religious dialogue. While I do not propose to examine Küng's thesis here (indeed ***Global Responsibility*** is referred to as an introduction to his concerns and interest in this area) it serves to illustrate both the importance of inter-faith dialogue as part of the widening ethical enterprise and indicates that here is a general area which may well be worth exploring in our consideration of the virtues and value of dialogue in general. Developing the idea of dialogue as a model for ethical reflection, it is sensible to look at the work of those who have tried to increase understanding and tolerance between religions. In reviewing this work, as with dialogue in general discussed above, it is soon clear that there are some areas where current practice and the reflection on it may usefully inform the development of dialogue as a

possible basis for ethical reflection. One significant difference is that in the inter-faith process participants can be assumed to be working within the framework of some understanding of the role of God in human life and common assumptions may be made about God's concerns for humankind. This is not so in general ethical discussion where participants may be drawn from a range of perspectives including those which are entirely secular. There will be brief discussion of an area where the common concern among religions for the well being of humankind has found coherent expression alongside secular concerns. This is the growing inter-faith work which has contributed to the human rights movement in the second half of this century.

In pursuing a discussion of the inter-faith movement it seemed sensible to try and look at two different and complementary approaches. They are drawn from either side of the Atlantic and one represents a practical approach grounded in the historical experience of the movement and of dialogue while the other addresses more philosophical issues such as the practice and goals of dialogue, yet clearly based on different active experiences of dialogue. The first approach is provided by both an overview of the history of the inter-faith process that celebrated its centenary in

1993[9] and an accompanying collection of documents produced by inter-faith bodies and other conferences over the last few decades.[10] One particular dialogue is followed in some depth through the joint accounts of the Jewish-Christian Manor House Group[11] which met for almost ten years from 1984. On the other hand the more abstract approach is considered in the work of Leonard Swidler and some of his North American colleagues in ***Death or Dialogue?*** and Swidler's own ***After the Absolute***.[12] The discussion which follows is not rigorously divided into two streams considering each area. My concern is not to give a complete picture of the work of the inter-faith movement. Rather I want to see if there are points we may learn from in developing ideas of dialogue for application in the area of ethics.

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[9]Marcus Braybrooke, ***Pilgrimage of Hope: one hundred years of global inter-faith dialogue*** (1992)

[10]Marcus Braybrooke, editor, ***Stepping Stones to a Global Ethic*** (1992)

[11]Tony Bayfield and Marcus Braybrooke, editors, ***Dialogue with a Difference: the Manor House Group experience*** (1992) [hereafter cited as ***Dialogue with a Difference***].

[12]Leonard Swidler, ***After the Absolute: the dialogical future of religious reflection*** (1990), and Leonard Swidler, John B. Cobb Jr, Paul F. Knitter, Monica K. Hellwig, ***Death or Dialogue?: from the age of monologue to the age of dialogue*** (1990), [hereafter cited as ***Death or Dialogue?***].

The first such area is Norman Solomon's observations on the Christian-Jewish Manor House dialogue. He identifies a third partner in the dialogue:

> What was meant to be a dialogue between Christians and Jews as Christians and Jews is again revealed as a tripartite dialogue in which the third partner is the modern world-view. Unless the third partner is recognised, an element of falsity remains in the dialogue. Traditional postures are adopted, minds do not meet.[13]

It is fair to use such concrete imagery when outlining the idea because once identified, the concept is one readily understood and has some discernible characteristics. These are present equally for both sides in any contemporary dialogue and are determined by or are the world within which the dialogue is happening. In terms of discussion between Christianity and Judaism, the trend towards secularism, however it is understood, is an important feature of the dialogue as is the common experience, albeit from different perspectives, of the Holocaust or *Shoah*. Traditional patterns of Christianity and Judaism enter into dialogue with all the ambiguities and confusions of faith in the present century as well as their particular difficulties over such a central issue as the Holocaust. Solomon does not develop his useful perception of the third partner in dialogue, so here it

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[13]Normon Solomon, 'The Third Presence: reflections on the dialogue', in ***Dialogue with a Difference***, pp. 147-162 (pp. 150-151).

is helpful to look at Leonard Swidler's scheme which categorises the modern world view.

Swidler has spent a lifetime of academic research both engaging in inter-faith dialogue and reflecting on that process and those factors which facilitate and constrain it. He has identified six factors which are signs of a significant shift in the way traditional western thought perceives the truth or conclusions.[14] These six points identified by Swidler may reflect Solomon's idea of the third partner or presence in contemporary Jewish-Christian dialogue. While individually they are not original, together they amount to a concise reflection on important changes in the way we understand things.

The first of Swidler's concerns is *historicism*, the fact that any idea or concept is determined by its particular historical context. *Intentionality* is the second concern, which addresses the issue of perceiving things in terms of our own questions and again in terms of those answers which we are looking for. That is, because we need or want to do something, any questions we ask are influenced by that priority: few enquiries are free of this reason for asking. The third concern

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[14] ***After the Absolute***, pp. 7-14.

of Swidler's has its origins in the *sociology of knowledge*, which is closely connected to the first point of *historicism*, and draws our attention to the fact that language is bound by its context or the standpoint of the speaker. Similarly, in the fourth point, Swidler is concerned with the *limits of language* which he identifies as the problem that any description can only be partial. Irrespective of any biases on the part of the givers of particular descriptions, the point of view they hold is limited in itself by their position in every sense and is thus only partial. The fifth concern is that of *hermeneutics*, and this is precisely the area to be explored in the next chapter on the work of Gadamer and Habermas. The subject and object inform one another in any interchange. Swidler's sixth issue is that of *dialogue*: we learn now through more than merely being open and receptive to new information, but rather through discussion, the give and take of inquiry and exchange.

Swidler argues that these six major changes in epistemology have been and continue to be a significant and formative influence on our thought:

> Whereas our Western notion of truth was largely absolute, static, and exclusive up to the past century, it has become de-absolutized, dynamic and

inclusive - in a word, relational.[15]

Beyond his conclusion, the most useful point is that made about 'intentionality', which has obvious relevance in the area of ethical reflection. The others are either familiar, such as the issue of historical context and that about hermeneutics, or not sufficiently substantial in their own right to merit consideration independent of the whole analysis. Together they hold up a summary of individual yet related changes which undoubtedly affect the way in which we may speak to one another, debate and reach common conclusions about what has been discussed.

Having identified some strands in the theory of inter-faith dialogue that are immediately interesting to our purpose, I now propose to look at the field in general and again will highlight some other aspects of the work which may be useful to an evolving ethics of dialogue.

Norman Solomon again provides one of the most interesting of such examples, drawing on the work of J. L. Austin.[16] Austin has identified three categories of speech as used within ordinary dialogue which have

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[15]Ibid., p. 7.

[16]***How to do Things with Words*** (1955), found in ***Dialogue with a Difference***, p. 160.

obvious implications for understanding and assessing the processes of dialogue. There is *locutionary* speech, which at its simplest level is the uttering of the sentence or statement. Following from that, the second category Austin identifies is *illocutionary*, that is the intended effect at which the statement is directed. This may be different from that obviously implied by a literal understanding of the words used. The example given is talk about the weather, which may be designed to put the hearer at ease rather than to inform. The third category is *perlocutionary*, where some unintended consequences of the statement or conversation may be detected through the hearer becoming anxious, apologetic or evasive. What is being described here is the process whereby the making of a statement or the experience of dialogue itself can be such that although the words used are straightforward and may be about common-place events, the hearer finds himself in an extreme state as a result of the conversation alone. Two examples might be a person who is trying to escape from the scene of a crime they have just committed finding himself in casual conversation with a policeman, who suspects nothing and is passing the time of day; or someone who by chance finds herself in conversation over a perfectly routine office matter with a fellow worker whom she admires passionately from a distance. In both cases the hearer finds the

exchange charged to a very high degree while the initiator of the conversation can be unaware of any special significance in the interchange, unless the former individuals begin to show what they feel.

The *illocutionary* speech is a more straight forward version of the same phenomenon. In this case where the statement or conversation may have an intended effect or deliberately convey a message or feeling different from the literal meaning of the words. The message may be consonant with the words, in the sense that it may express a feeling that is compatible with the literal meaning of what is said: a compliment may be paid to an individual about their style of dress or health. Good, albeit perhaps superficial things are said and the consequence is a good feeling on the part of the hearer. On the other hand apparent compliments may be paid in such a way that the opposite is both implied by the speaker and understood by the hearer: in effect an insult or at least a challenge may be given under the guise of a compliment. Both of the derivative stages of the conversation, the *illocutionary* and the *perlocutionary*, may be features of inter-faith dialogue and identifiable in that context. Part of the *illocutionary* text of such a dialogue is the desire on the part of the participants to be friendly towards one another, as in Solomon's example, in the very act of

coming together to speak. One of the continual problems in inter-faith dialogue involving Christians is the issue of the uniqueness of Christ.[17] If we look at this example, using Austin's analysis of acts of speech, we can understand how the desire by Christians to engage straightforwardly in dialogue can be undermined by the power of this claim and even its possible offence in the minds of the other dialogue partners. Any *illocutionary* goodwill is potentially undermined by the *perlocutionary* aspect of the knowledge of the idea of the uniqueness of Christ.

The inter-faith process thinks of dialogue in terms of the growth towards one another of different groups. The differences are what divide in the first instance, and the process of dialogue that is set up must be such as to facilitate the development of trust and openness that will lead to a deeper relationship between the participants. Braybrooke in his history of the inter-faith movement talks of the need to 'learn to enter another world that may seem alien and which has different presuppositions'.[18] As part of the response to this task and that of being prepared to have one's

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[17] For some other specific issues of contention in Jewish Christian dialogue see Braybrooke's ***Pilgrimage of Hope***, pp. 214-216.

[18] ***Pilgrimage of Hope***, p. 310.

own presuppositions questioned, several writers have proposed differing lists and points to note in the preparation for and practice of dialogue. Some of the lists of prerequisites and procedures are determined by the expected outcome of the dialogue or the emphasis that dialogue should have: one such is Paul Knitter's which will be discussed below in the context of a concern for dialogue centering around social justice. Other lists deal with general points. Swidler has set out the main basic points to help with inter-faith dialogue.[19] The topics mentioned are mostly familiar and can be summarised as follows: 1. participants should use their creative imaginations and a sensitivity towards others; 2. all intending to be involved should participate in the planning of the process; 3. the most difficult points of difference should not be tackled until trust has been able to develop; 4. total sincerity and honesty are required of all participants; 5. there should be a properly mutual comparison of ideals only with ideals and the same should be true of practices, that is, ideals may not be compared with the other sides practices because of the obvious and unhelpful disparity; 6. self-defining is important; 7. there should be no fixed assumptions

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[19]This list is compiled from two near identical ones which were published in 1990 in ***Death or Dialoge?*** pp. 64-66, and in ***After the Absolute***, pp. 42-46.

about where authentic differences lie; 8. it is important to speak together on a basis of mutual equality; 9. it is essential to be critical of oneself and one's tradition; 10. a correct understanding of dialogue as a process of mutual learning, exchange and challenge is essential. It is interesting to notice that there are two points from my initial suggestions of what is necessary for dialogue which are missing from this list. They are the importance of ensuring a commitment to a rational basis for dialogue and a recognition of the relative nature of any conclusions. Both might reasonably be expected to play a role in inter-faith dialogue, especially the former. The other four points I identified all find explicit expression in Swidler's list.

In addition to the lists there are some interesting general points which can be remembered when engaging in inter-faith dialogue. John B. Cobb, Jr mentions the importance of two issues which are refreshingly realistic: the possibility of confrontation and the positive role which it can play in dialogue, and the importance of the desire to persuade the other of one's own point of view.[20] The role of confrontation is clear enough, as of course are the possible abuses

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[20]In ***Death or Dialogue?***, pp. 8,9, and 117.

which might ensue. The emphasis on the importance of persuasion is interesting in that in some respects it might be better avoided. A positive reading would suggest that it is necessary to have a degree of conviction about an idea if one is to communicate it successfully to others, especially in the field of religious beliefs. In one sense it should not be possible to hold belief as a matter of disinterested opinion. Of course a line must be drawn here that distinguishes between the suggested responsibility of both sides to put their points of view as persuasively as possible and the proselytization of one set of participants by another. This concern takes us on neatly to a wider issue, that of the concern about the extent to which dialogue may be abused as evangelization.[21] Other groups in dialogue with Christians tend to be wary of the Christians' agenda for mission and at the same time some conservative Christians regard dialogue as a betrayal of the

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[21]Braybrooke provides an example from the work of the Roman Catholic Pontifical Council for Inter-Religious Dialogue (which is how it has been known since 1989, before which it was the Secretariat for Non-Christians). Under the direction of an early secretary, Father Humbertclaude, there was always a specific tension between dialogue and evangelization. At its worst, dialogue was regarded as gentle preparation for evangelism. Braybrooke notices this as a problem for more than the Roman Catholic church. ***Pilgrimage of Hope***, pp. 249ff.

responsibility to evangelise.[22]

One area where there has been effective co-operation between different faith groups and also secular groups is that of human rights. In answer to some of the questions raised by Hans Küng in his ***Global Responsibility***, Braybrooke gathered and introduced a collection of documents on human rights issues with an international flavour and explained how the religious groups have been deeply involved in precisely this process.[23] That this is arguably the area in which inter-faith dialogue has shown the most obvious success so far. Some advocates of inter-faith dialogue see human rights and social injustice as the appropriate starting point and focus for their labours. Paul Knitter, one of the contributors to ***Death or Dialogue?***, sees the natural focus for dialogue as being around various forms of oppression and 'needed liberation'. He specifically identifies four areas of concern requiring liberation: physical suffering; socio-economic oppression; nuclear oppression/holocaust; and ecological disaster.[24] Knitter develops his emphasis

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[22]Ibid., p. 261 and see also: Tony Bayfield, 'Mission - A Jewish Perspective', ***Theology***, XCVI (1993), pp. 180-190.

[23]***Stepping Stones to a Global Ethic*** (1992).

[24]***Death or Dialogue?***, pp. 27-30.

in the approach to dialogue by suggesting two preconditions for success. The first is that no group or individual should enter the dialogue with any claim to having the final word on any issue and, more innovatively, each dialogue should be founded on a 'conversion' shared by all participants. The particular form the conversion should take is towards Knitter's emphasis on issues of social injustice. It is obviously a problem to accept this suggestion straightforwardly; to so predicate the aim must limit the freedom of the dialogue. That concern may however be balanced against the advantage of having a clear focus for dialogue.

While Knitter sees dialogue focusing on social concerns as both method and aim, for other writers including Braybrooke it is a beginning. The common strands in the scriptures of several religions which support this emphasis make it a valid beginning and to go on from there requires, in Braybrooke's eyes at least, some study of the ideas of human nature behind the texts and then the attempt to relate such understandings to present problems in an inter-faith context.[25]

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[25] ***Stepping Stones to a Global Ethic***, p. 16. See also Alan Race's contribution, 'Precarious and Necessary Prophetic Witness', in the Manor House collection, ***Dialogue with a Difference***, pp. 133-144 (especially p. 142).

Acknowledging that this approach to inter-faith dialogue has some specific strengths and demonstrable achievements to its credit, it also has limitations. The one of not being fully open, in terms of having a set agenda, has been mentioned. Another concern is that while the issue of human rights enables the religious groups to look beyond their theological differences and to agree on specific injustices and particular rights, it does not necessarily help with the development of a common theological outlook in precisely those areas which give the same religious groups their identity. The participating groups may find agreement about those social concerns which present themselves but they may do this in such a way as to establish a new religious perspective that consequently generates its own vocabulary and outlook and becomes as inaccessible to the rest of society as the initial religious traditions might have been before dialogue began.

At this point it may be useful for clarification before concluding to return to the purpose of dialogue within the inter-faith movement. One aspect of their outlook which is reassuring is the fact that the goals seem realistic. Several writers express their hopes for inter-faith dialogue in terms which take account of what might actually be achieved and have the candour to

assess what has already been achieved in equally sober terms. As Braybrooke puts it in one case, describing Jewish-Christian dialogue:

> [It] is a matter of simply learning to be nice to each other, trying a little to understand what the other is doing, co-operating in social endeavour.
>
> Dialogue does not necessarily produce agreement and, if it is a search for truth, there is no desire for easy compromise. Sometimes it makes clear where essential differences lie.[26]

If we cannot look for agreement between faiths, how may we understand the work of the inter-faith dialogue process? In this context Monika K. Hellwig identifies three goals of dialogue between representatives of different faith traditions: 1. to gain a friendly understanding of each other; 2. to enrich and round-out one's appreciation of one's own faith tradition; 3. to establish a more solid foundation for community life and action among persons of various traditions.[27] Again it is clear what is expected. Given the degrees of misunderstanding and animosity that existed between people of different faith groups in the past, it is an achievement to move towards a position of friendly enquiry and mutual respect. The move on to closer co-operation and understanding may well follow, but at present the goals are realistically limited. Cobb

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[26] ***Pilgrimage of Hope***, p. 311.

[27] ***Death or Dialogue?***, p. 43.

makes the point that while dialogue may not produce even all that is hoped for at the present, it is capable of helping discern those issues which are of primary or secondary importance for work between faiths.[28] At this stage we come upon ideas of inter-faith dialogue which while laudable are open to the criticism of being somewhat self-centred. Braybrooke, introducing the Manor House conversations says:

> This is a life process - not religious 'negotiation' nor an attempt to find some accommodating compromise. *Rather, dialogue is a spur to one's own theological rethinking.*[29]

A consequence of dialogue should be the rethinking of one's own position but that is not a sufficient aim in itself. Swidler quotes from the first encyclical of Pope Paul VI:

> Dialogue is demanded nowadays....It is demanded by the dynamic course of action which is changing the face of modern society. It is demanded by the pluralism of society, and by the maturity man has reached in this day and age. Be he religious or not, his secular education has enabled him to think and speak, and to conduct a dialogue with dignity.[30]

If this hope and challenge are to be realised through the work of inter-faith dialogue then more must be

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[28] Ibid., p.3.

[29] ***Dialogue with a Difference***, p. 12.

[30] ***Ecclesiam suam***, no. 78, found in ***Death or Dialogue?***, p. 77.

expected of the process than a re-educating of the participants. That may be a praiseworthy and necessary consequence and even, paradoxically, a precondition of dialogue, but it is disappointing if it is to be the goal.

iii principles of dialogue

This chapter began with an outline of the various features I identified as necessary for round table dialogue: a degree of respect for the positions represented by other participants, which might lead in time to a wider sense of trust in the process as a whole; this will be fostered by the work of mutual clarification, seeking rational bases for arguments; and by a commitment to mutual learning based on an element of reciprocity. A willingness to be open-minded both in relation to how the dialogue might develop and its conclusions is essential. There is also the importance of acknowledging the relative nature of all conclusions. The discussions of the work of both Fisher and Ury, although from a very different context and with a different purpose in mind, has shown both useful parallel concerns and some interesting discrepancies. The idea of mutual respect leading to trust found expression in Fisher and Ury's notion of not bargaining over positions. The focus should be on

the issue to be discussed not the respective power of the participants. This concern echoes that of the commitment to mutual clarification, which in turn is another broader way of expressing Fisher and Ury's concern to open up the negotiation process by looking afresh at what is being discussed so that, in their terms, options may be invented for mutual gain. Fisher and Ury have no concerns that obviously link with my point about the relative nature of conclusions, which is understandable given the very practical nature of the negotiation process which they describe. They do however reflect a concern with identifying rational criteria for discussion. This is reflected in their two related points of separating the people from the problems under discussion and their clear insistence on objective criteria. They add one point which is valuable and missing from my criteria: the importance of context. They emphasise that no discussion takes place in a vacuum.

This last point is given further valuable attention in two parts of the discussion of material from the work of those committed to inter-faith dialogue. Solomon's notion of a third partner in every dialogue being the modern world view is given flesh by Swidler's list of six features which influence all contemporary discussion. The message is clear: we cannot afford to

ignore the context of any dialogue. Factors may impinge from a range of sources which influence the opinions and contributions of participants. This is not a threat to dialogue. Rather, for the process to be useful especially in the area of ethics, there must be an informed commitment to identifying and responding appropriately to external influences during dialogue. In this way the proposal is open to the continually developing opinions and experience which inform our contemporary moral reflection.

Howe's work, like Fisher and Ury in being drawn from an area other than ethics, also had some useful points but generally was less precise about what would constitute the necessary preconditions for dialogue. The dialogical person is to be characterised by an open manner which should influence their participation in dialogue. Knitter, from the the inter-faith conversations, reinforces this idea of the importance of openness as a necessary prerequisite of good dialogue.

In addition to these points which have been shown to connect with or develop those that I had already identified, this review of other perspectives on the process of dialogue has revealed a series of useful individual perspectives which confirm my view of the

complexity and potential richness of dialogue as a method of ethical reflection. Cobb's observations on the benefits of both being prepared to recognise the possibility of confrontation and also the importance of the desire to persuade both obvious applications within dialogue that aims to discuss ethical issues. If points are to be held with conviction then it is likely that even those committed to dialogue as I have been describing it will find their tempers running high. Confrontation which can be destructive may also be cathartic if handled responsibly. In this latter sense, if sufficient trust is present, it may help clarify where some difficulties lie and also indicate sometimes appropriate frustration with participants who are not adhering to the agreed process. A willingness to persuade others of the value of one's point of view is not a threat to good dialogue if this commitment is held sensitively within the process I am trying to describe. Indeed it takes a degree of trust in the process and in the other participants for an individual to own the extent to which they feel committed to a particular perspective. When declared this commitment can be very helpful to all concerned because to understand the manner in which ideas are held is as much a part of understanding the dynamics of any particular dialogue as is an intellectual grasp of the issues being discussed.

Austin's points about the complexities of the effects of different forms of speech, especially his idea of *perlocutionary* speech, connects with this same area. It is one thing to be clear about what has been said. We need to be equally clear that we communicate so much more than the straight forward message of the words we use in our communicating. We are used to identifying the importance of a range of bodily gestures and facial expressions along with tones of voice when we attempt to follow speech. Austin reminds us that we must attempt to be aware of the ways in which we cannot fully control the effect of our words upon another. We must be prepared to take that into account in proposing a model of ethical reflection that draws its imagery from the richness and complexity of human conversation.

Howe's point about the comprehensive related character of truth, which as we have noticed challenges MacIntyre's perspective, is worth noticing even if in disagreement. I suspect that it is a common assumption behind many attempts to reconcile differing points of view and one that fails to take seriously the difficulties in working with positions that cannot be readily brought together.

These surveys have provided valuable material for the development of a model of round table dialogue in

ethical reflection. There are, however, serious limitations in using either the inter-faith dialogue process or that of principled negotiation as models on which to base an exploratory dialogical method in ethics. One model can assume an understanding of faith and its demands in the participants while the other is essentially a sophisticated system for bartering and trading. Although both models have intrinsic merits neither readily adapt to the needs of ethical reflection. However, both practical considerations and philosophical concerns have been clarified through the direct experience of those who engage in the work which has been considered here.

Four of the five points I identified at the beginning of the chapter have been affirmed and expanded. These are now: mutual respect, leading to the development of a wider sense of trust in the process as a whole; based on mutual clarification with a commitment to exploring the rational bases of all aspects of participation; mutual learning through a common commitment to reciprocity; and the importance of being open minded in the widest sense. In addition to these four points another became clearly important: that of the context of any discussion. Furthermore, the work of those engaged in inter-faith dialogue in particular offered some extra interesting reflections on difficulties and

opportunities posed by dialogue in general. Of my initial proposals, the one which still needs considerable further discussion is that which suggests we should be aware of the relative nature of conclusions. This idea has important implications in ethical discourse and will be the main focus of the next chapter.

Chapter 3

Dialogue - a philosophical view

> For the egoism which enters into our theories does not affect their sincerity; rather, the more our egoism is satisfied, the more robust is our belief. (George Eliot)[1]

In this chapter I will develop the exploration begun in the previous chapter into possible sources of reflection on the processes of dialogue that may help my consideration of dialogue as a method of ethical enquiry. My particular concern is to discuss the issue of the relative nature of conclusions and how this might influence ethical dialogue.

Again, I will be drawing on material that has its origin somewhere other than in ethics, where at present there is little work on patterns of dialogue as conceived of here. This approach has the advantage of establishing the proposal on a wide base of academic and practical experience.

The idea of the relative nature of conclusions is connected to that of the idea of objectivity in perception and analysis. Thus the introductory section

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[1] ***Middlemarch***, 1871-2, edited by David Campbell (1991), ii, p. 83.

of this chapter looks briefly at the limitations acknowledged in our attempts to be objective, particularly as identified by some historians. This leads into a consideration of the philosophical aspects of dialogue and its limitations set out by two German academics, Hans-Georg Gadamer and Jürgen Habermas. Their work is especially valuable in this context because of the attention they both give to the issue of the relative nature of both individual perspectives and conclusions. David Tracy is a theologian who has applied some of their thought in the area of systematic theology. His contribution will be examined briefly before presenting an outline of the model of dialogue as developed by the end of this chapter.

i objectivity

Historians are aware of the problem of being objective in historical analysis and in any assessments made about the past. One of the central concerns of historians since von Ranke (1795-1886) is to reduce as far as is possible the subjective element in historical writing: that is, that element which is obviously influenced by the concerns of the present or of an age other than that about which the historian is writing. He must also be aware that the sources he uses from the period about which he is writing may themselves be

biased in a way that is not immediately clear from the sources themselves.

This is an area of concern at two levels. Evidence gathered from the past by the historian is likely to be selected from sources in response to his specific questions. It is perfectly possible for a writer to draw up his scheme of how an issue may best be described and analysed in terms of assumptions that interest and operate at the time of writing rather than those which may have pertained at the time of the events being considered. David Tracy, in discussing this point, uses the example of the way in which the French Revolution has been understood to be about a whole range of different things depending on the sympathies of the various authors and their audiences.[2] This means that a historian's analysis of a period in history reflects the concerns of his own time at least as much as those of the period he is considering. The evidence has been selected in accordance with questions formulated in response to the issues of the day rather than those of the period under formal review. Furthermore, evidence itself may not be neutral. When a historian relies on a contemporary account he is

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[2]David Tracy, ***Plurality and Ambiguity: hermeneutics, religion, hope*** (1987), see especially chapters 1 and 4.

aware that the author of that account will perceive the events described through a particular perspective. The bias may be clear or it may have to be discerned by careful comparison of the account with any others which might be available. An obvious factor capable of influencing any account is the political position and social background and sympathies of the observer. The same is true of what can appear to be straightforward evidence from something like a census. The figures need to be considered in the context of the initial concern to acquire the information and what assumptions may have operated on the part of the census collectors about what information was to be included and what might legitimately be omitted.[3]

This brief outline of the difficulties which a historian must be aware of, makes it clear that concerns about objectivity go well beyond the discernible biases that are to be found in evidence and in the construction of answers or analyses. Individuals, whether historians or witnesses, are

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[3]For discussion of the topic of objectivity as it is considered by some historians, see: E.H. Carr, ***What is History?*** (1961, Penguin edition 1964) pp. 119-123; W.H. Walsh, ***An Introduction to Philosophy of History*** (1951, third revised edition 1967) chapter 5 'Can History be Objective?', pp. 93-116; and John Passmore, 'The Objectivity of History', in ***The Philosophy of History*** (1974), edited by Patrick Gardiner, pp. 145-160.

capable of rendering only partial accounts of any event. However objective we want to be, it is not possible for us to give a full and complete account of an event that is absolutely free of our own prejudices and concerns. We may take an example of a car crash observed by three individuals all present at the scene of the accident and all watching as events unfolded. The fact that all three were standing in different positions around the junction means that the physical vantage point of each will result in them giving different accounts of how they saw the event. They may differ in specifics but could agree in the overall picture. This assumes all have equally clear although different vantage points: the story gets more complicated when all see the same event but from positions which do not afford equally clear views. It becomes more complicated still when the various individuals start to describe what they have seen in terms of their own experience. Then, a range of further subjective factors start to play a part in the retelling of the event.

Nevertheless, objectivity remains a goal for historians and others whose writings aspire to a degree of detachment. They do not delude themselves into assuming that objectivity can be achieved. That it is unattainable does not mean that it is not important to

aim at it. Limitations may be acknowledged and the most objective writing valued. Historians acknowledge this lack of ability to create a full and perfect picture of events and their experience is paralleled in other disciplines. In ethics may it mean that some of the traditional absolutes, that is the fixed points, might be less than certain? If this is true, could that be because they are human constructs? If human constructs, then might they not be subject to the same demands that are made of other points put forward in debate? In other words might these traditional, absolute points of ethical dialogue be subject to rigorous critical examination in terms of their rational criteria? In exploring this idea the work of two contemporary German thinkers is very valuable.

ii Gadamer's ***Truth and Method***

Gadamer's work offers some helpful insights into the nature of language, especially as used in conversation. The value of his writings for our purposes is two-fold. In the first instance there is his seminal work, ***Truth and Method*** [4] and connected with it there is the debate

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[4]First published in Germany in 1960, now available in the fifth German edition, 1986. The revised English translation is that of Joel Weinsheimer and Donald G. Marshall (1989), which is hereafter referred to as ***Truth and Method***.

which its publication generated with another leading German philosopher, Jürgen Habermas. No attempt will be made to present a complete summary of their work or even of every aspect of their debate.[5] My concern here is to identify themes in their work and scholarly dispute which may contribute to our task in considering an ethical method based on the idea of dialogue.

Gadamer's autobiographical essay, ***Philosophical Apprenticeships***, illustrates an idea which is an important theme in his work. In that book he describes his own intellectual pilgrimage in terms of his work with other philosophers. There is a thread connecting each of the different perspectives which made sense to him at each stage. However, he presents the ideas of each of his teachers as complete in themselves. He tried to see through the eyes of their philosophical system as he worked with each of them. This approach has the effect of enhancing his idea, developed in ***Truth and Method***, that each of our positions can be thought of as complete in themselves and as a consequence none is objective. Rather each such position is a construct of the individual who maintains it and consequently subject to a range of interests and

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[5]The background to the work of Gadamer and Habermas is explained in: 'The Crisis of Understanding', by Fred R. Dallmayr and Thomas A. McCarthy in their ***Understanding and Social Inquiry*** (1977), pp. 1-13.

influences.

In ***Truth and Method***, Gadamer reviews the principles of hermeneutics in order to broaden our understanding of what it is we may assume in certain situations. In particular he is concerned to explore the question, with reference to such disciplines or 'experiences' as philosophy, art and history, of 'how far the truth claim of such modes of experience outside science can be philosophically legitimated'.[6] This quest has obvious implications for moral philosophy, both in terms of the conclusions reached and as importantly in terms of the starting points of any ethical discussion. Gadamer explains his concern:

> If there is any practical consequence of the present investigation, it certainly has nothing to do with an unscientific 'commitment'; instead it is concerned with the 'scientific' integrity of acknowledging the commitment involved in all understanding. My real concern was and is philosophic: not what we do or what we ought to do, but what happens to us over and above our wanting and doing.[7]

Here we have an indication of the first of two areas where Gadamer's work is relevant to ethics. There is the epistemological issue of understanding what level of experience may be rationally or philosophically verified. This theme will recur in Habermas's debate

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[6] ***Truth and Method***, p.xxii.
[7] Ibid., p.xxviii.

with Gadamer and here it is enough to have noticed it. The second issue in Gadamer's writing which is valuable to this inquiry is the concern he has with conversation and to this we now turn.

His interest in conversation stems from his concern with the use and development of language. In particular the sense in which we use conversation as a means for both communicating our own ideas and for understanding those of others. Gadamer gives a fairly straightforward description of conversation, from which he develops his observations:

> Conversation is a process of coming to an understanding. Thus it belongs to every true conversation that each person opens himself to the other, truly accepts his point of view as valid and transposes himself into the other to such an extent that he understands not the particular individual but what he says. What is to be grasped is the substantive rightness of his opinion.[8]

Gadamer is presenting the ideal. It is worth noticing the extent to which his criteria match and develop those identified in the previous chapter. Elsewhere he gives accounts of conversations which are not so harmonious and where the intentions of the participants

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[8]Ibid., p. 385.

are different from those described here.[9] Gadamer talks of the description we use of conversation, often noticing that we 'conduct' conversations, whereas in fact a more accurate description would be to describe the experience as something we 'fall into', which is an English form of speech used to describe how we come to be talking to someone. The phrase 'to fall into' conversation usually refers to the manner in which we came to be talking. It refers to the unplanned nature of how we happened to begin the conversation, and is not a description of either the outcome or the process by which any outcome was reached. Gadamer claims that a true conversation has a 'spirit of its own', by which he means that if it is a genuine meeting of two individuals concerned to exchange views without a pre-set agenda, then there can be no telling quite what the outcome or final positions reached will be. If the concern is in the meeting itself, not in the end of the conversation, then we cannot know the outcome before the event. For this to be the case the individual seeking an experience of dialogue must acknowledge that:

> There is no higher principle than holding oneself open in conversation. But this means: Always

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[9]For example see his descriptions of Platonic dialogues and other conversations where interrogation is a significant part of the method of inquiry: ***Truth and Method***, pp. 362-379.

> recognise in advance the possible correctness, even the superiority of the conversation partner's position.[10]

Again, this is idealistic in the sense that it often requires more than openness and goodwill to effect communication. Gadamer's counter to that idealism will now be considered.

Gadamer further observes that 'In situations where coming to an understanding is disrupted or impeded, we first become conscious of the conditions of all understanding'.[11] People trying to communicate without a common language is an obvious example of such difficulty in conversation which illustrates the relative nature of so much human communication and the particular world-view out of which we speak. A favourite analogy of Gadamer's in this context is that of the role of the translator.[12] It is the translator's task to facilitate the conversation. A concern in translation is not just transposing words from one language to another. There must be a sensitivity to the inferences of those words in the new language as well as in the old where particular

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[10]Gadamer, ***Philosophical Apprenticeships*** (1985), p. 189.

[11]***Truth and Method***, p.384.

[12]This is the image used by MacIntyre, ***Whose Justice? Which Rationality?***, chapter 19, 'Tradition and Translation', pp. 370-388.

associations gather around phrases and ideas in one language and do not necessarily cross over to another: 'Here the translator must translate the meaning to be understood into the context in which the other speaker lives.'[13] As the translator's task may highlight the difficulties so too it can indicate the level of proficiency in language which may be achieved. Once a sufficiently high degree of proficiency is reached in a language there is no need to translate. An individual comes to think in the language being employed. This goes beyond the use of words or phrases to the thought concepts, assumptions and life-patterns associated with those who speak the given language as natives.

These issues lead to Gadamer's concern with the nature of language itself. Its purpose in Gadamer's eyes is very clear: 'it must be emphasized that language has its true being only in dialogue, in *coming to an understanding*.'[14] Language is the means by which we not only exchange views and opinions, it is also the means by which we acquire and understand our own experience of the world and our relationships within it. As we learn a language we learn not only about words but about the ways those words are associated and the weighting they have in different contexts. In this way

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[13] ***Truth and Method***, p. 384.
[14] ***Truth and Method***, p. 446. Gadamer's italics.

we build up a picture of the way things are for ourselves and those who see things the same way as we do, and in time we come to have an idea of how others may also experience things differently.

Gadamer discusses an exception to these ideas about language which illustrates his point. Scientific or mathematical notation is often thought of as a form of language. However, it does not meet Gadamer's criteria because such notation, in the form of symbols or abbreviated words, is not language in the sense he has described it but rather derives from a prior agreement about the use of symbols designed to avoid any confused misinterpretation. That prior agreement was reached through the use of language and consequently is derivative. It is not a linguistic medium itself. While such notation may be used to convey information, it requires prior agreement as to what parameters of meaning may be attached to each symbol. In most cases the clarity of such notation requires that very little flexibilty be available to each character or symbol in order to reduce opportunities for misunderstanding. Furthermore the nature of language as defined by Gadamer is that it provides the means of reaching understanding through dialogue. Any such system of notation cannot of its nature be part of a dialogue because it does not contain within itself the means of

facilitating such a discussion: the symbols stand for agreed concepts and are used within a particular framework which presupposes a particular end, for example the balancing of a scientific equation. Symbols and other developed forms of 'artificial communication' can be very useful in conveying information but cannot facilitate dialogue precisely because of their virtue and character as symbolic notation.[15] Thus the very clarity of such notation, which protects it from the confusions of normal dialogue, also denies it the potential richness possessed by normal language.

Having identified patterns of dialogue discussed by Gadamer which confirm and extend some of the reflections in the last chapter, we turn to that other area of Gadamer's work mentioned above: his concern with the assessment of truth claims. This is part of his concern with the objective nature of language and the limitations that may impose on the conclusions we can reach through its use. Here the idea of a connection between Gadamer's work and the use of dialogue as a model for ethical reflection becomes clearer. We have already looked at the historians'

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[15]Gadamer's discussion of this topic can be found in ***Truth and Method***, pp. 414-415 and 446-448.

concern with the elusive ideal of objectivity. This may be taken further in thinking about language. Talking of textual criticism and interpretation, Gadamer states that: 'To try to escape from one's own concepts in interpretation is not only impossible but manifestly absurd.'[16] We are so used to making certain assumptions, based on our experience and perception of the world around us that we cannot perceive or assess anything with complete impartiality. Gadamer returns to his example of speaking in languages other than one's native tongue to develop this point further. However fluent we may become in a second language, developing all the skills referred to above in terms of thinking in its concepts and patterns of word association, we never completely lose the world-view or assumptions of our mother-tongue. Gadamer talks of a 'language view' as a way of expressing that pattern of thought and associations which goes with being fluent in a language at the most advanced level. We may acquire new languages at such a level of linguistic and ideological fluency that we can dispense with the services of an interpreter, but we cannot ever wholly leave behind the concerns, word association and thought patterns, in short the language view, of our first language. Here, as for the historian, the concern becomes how to proceed while taking account of the

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[16] ***Truth and Method***, p. 397.

inevitable limitations of our condition. At this stage we are drawn to consider the important dialogue that developed between Gadamer and Habermas, addressing the issue of understanding truth claims and meanings from different perspectives but with interesting if divergent conclusions. Gadamer saw the difficulties and Habermas, placing hope in a will to freedom, saw a way out of the seemingly intractable limitations of any cultural tradition. In addition to the critical reaction to both men's writings, the dialogue between them has also attracted criticism which we will consider.

iii Gadamer and Habermas in dialogue

Habermas is a German social theorist with a background in philosophy as well as sociology. After the publication of Gadamer's ***Truth and Method*** they engaged in an exchange and that discussion helps to clarify and expand some of the points of interest in Gadamer's work, particularly the concern with assessing truth claims and meanings. Before addressing these issues, a brief review of Habermas's work is helpful:

> The single purpose of the work is to anticipate and to justify a *better* world and society - one that affords greater opportunities for happiness, peace, and community. Since Habermas is also a rationalist the *better society is the more rational society*, in short, a society that is

> geared to collective needs rather than to arbitrary power.[17]

Habermas approaches this task through several themes, some of which again relate to our concern. As a social theorist Habermas has a direct interest in the extent to which the moral point of view is relative:

> According to my conception, the philosopher ought to explain the moral point of view, and as far as possible justify the claim to universality of this explanation, showing why it does not merely reflect the moral intuitions of the average, male, middle-class member of a modern western society.[18]

Habermas argues that social theory has a valuable role to play in the discernment of moral perceptions:

> In short, one should not place excessive demands on moral theory, but leave something over for social theory, and the major part for the participants themselves - whether it be their moral discources or their good sense.[19]

As with Gadamer, the whole range of his work is too broad to encompass in summary here but there are certain relevant themes. One such is the 'lifeworld' (*Lebenswelt*), an aspect of ourselves which is dependent upon but distinct from the conscious worldview (*Weltanshauungen*):

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[17] Michael Pusey, ***Jürgen Habermas*** (1987), p. 14. Pusey's italics.

[18] Jürgen Habermas, 'A Philosophical-Political Profile', ***New Left Review***, 151 (1985), p. 84.

[19] Ibid., p. 91.

> Communicative action takes place within a lifeworld that remains at the backs of participants in communication. It is present to them only in the prereflective form of taken-for-granted background assumptions and naively mastered skills.[20]

However limiting this sounds, Habermas finds that there is in fact room for manoeuver and change:

> The cultural tradition must interpret the lifeworld in such a way that action orientated to success can be freed from the imperatives of an understanding that is to be communicatively renewed over and over again.[21]

Thus, the critical faculty which we may employ provides the means by which the lifeworld itself is capable of being made more rational. In this way the power of the given context of the object is eroded. Habermas's point is that even with the cultural constraints of any tradition, text, or an institution there is always the possibility, with an increasingly rational lifeworld, to identify and exercise a critical position in relation to the object under consideration. The question remains of how we can come to an understanding of the critical tools and approaches that might be used in this quest. Here Habermas approaches Gadamer's concern to find ways of evaluating and understanding meanings.

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[20]Habermas, ***The Theory of Communicative Action*** (1984), i, p. 335.

[21]Ibid., i, p. 72.

In considering the debate that developed between Gadamer and Habermas,[22] I am following the discussion as it has been analysed by two writers. Paul Ricoeur provides a good discussion of the debate[23] and Michael Pusey explores the influence upon Habermas's work of the discussion with Gadamer.

Pusey has identified five areas in which Habermas developed his thought as a consequence of the debate with Gadamer: two are directly relevant to our concerns here. One is the attention to linguistic analysis. As a result of Gadamer's work, Habermas became so convinced of the power and influence of language that he attempted to restate and pursue his own enquiries in sociology and social theory within a linguistic paradigm.

The most important of the concepts that are shared and developed through the debate is that of 'horizons', a

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[22] Following the publication of ***Truth and Method*** in 1960, Habermas published a long review article, 'A Review of Gadamer's ***Truth and Method***', which can be found in ***Understanding Social Inquiry***, edited by Fred R. Dallmayr and Thomas A. McCarthy, pp. 335-363, which gives details of the publication of the original German article. Gadamer responded with an article 'On the Scope and function of Hermeneutical Method', ***Continuum***, 8 (1970), pp. 77-95.

[23] 'Ethics and Culture: Habermas and Gadamer in dialogue', ***Philosophy Today***, 17 (1973), pp. 153-165. Hereafter, this article will be referred to as: Ricoeur, 'Ethics and Culture'.

metaphor employed first by Gadamer. An individual's horizon is the limit of their understanding in any particular area and every situation requiring thought and perception has such a limit to that knowledge and experience. As the horizon of the interpreter meets that of the person or object under consideration a 'fusion of horizons' takes place which is the best moment for any process of translation or understanding. In the 'fusion of horizons' there is a necessary moment of doubt about both the self and that considered, which opens to one another both that which seeks to interpret and that which is to be interpreted.

A second element of the process of understanding offered by the model of interpreting through the idea of horizons is that to understand the proposition of another we have to make an effort to experience his point of view as he himself does. Here the 'fusion of horizons' is what enables us to be involved in an attempt at understanding that is broader than an intellectual enquiry and deeper than a private communion between two individuals. In such a meeting we may find ourselves able to take on the points of the other party, because we move from private understandings of any particular positions or tradition into the increasingly public reasons for holding a particular point of view. As the process of

understanding develops, our attempt at understanding moves to a rational consideration of those points behind any given position or text. We can only address and in turn consider those points which are capable of rational communication:

> In its cognitive, moral, and evaluative components the cultural tradition must permit a feedback connection with specialized forms of argumentation to such an extent that the corresponding learning processes can be socially institutionalized. In this way cultural subsystems can arise - for science, law and morality, music, art and literature - in which traditions take shape that are supported by arguments rendered fluid through permanent criticism but at the same time professionally secured.[24]

Ricoeur's consideration of the debate goes further than Pusey in that he develops both positions: it merits attention in its own right. Ricoeur works at a solution to the issues that divide his two fellow philosophers.

He sees the discussion between Gadamer and Habermas as important because: 'This debate...offers privileged access to the unsolved problem of the origin of values'.[25] He sets the debate in its philosophical context by identifying the tension between two traditional positions: they are, that values 'are

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[24]Habermas, ***The Theory of Communicative Action***, i, pp. 71-2.

[25]Ricoeur, 'Ethics and Culture', p. 155.

discovered, not created' and on the other hand that 'values are the work of freedom'.[26] Values may be either always in existence and it becomes part of our work to discern them, or they are to be stated and refined by us afresh as a responsibility consequent upon our freedom. As Ricoeur puts it: 'If values are not our work but precede us, why do they not suppress our freedom? And if they are our work, why are they not arbitrary choices?'[27]

As I mentioned, hermeneutics is used by Gadamer to address the issue of values because of the concern to establish the truth claims or level of meaning of any assessment made in areas distinct from the natural sciences. These are deemed to have a language of reflection and assessment which is independent to a greater degree than that of the non-scientific or traditional arts disciplines. Gadamer identifies three areas of reflection where this problem of assessing truth claims is acute: aesthetics, historical writing and reflection and language. Of these the third is considered the most important because it is employed in both of the other disciplines. It is the primary means of communication. In accepting this perception we are drawn into a rather bleak view of our predicament. We

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[26]Ibid., p. 153.
[27]Ibid., p. 156.

move from understanding ourselves within traditions and are constrained by those same traditions to the view that we can never be free of them:

> Our consciousness never has the freedom to bring itself face to face with the past by an act of sovereign independence. It is rather a question of becoming conscious of the action which affects us and of accepting that the past which is a part of our experience keeps us from taking it totally in charge, of accepting in some way its truth.[28]

We are bound, in our perceptions as in our discourse, by the inability to develop a critical assessment of our position both in itself and in relation to other options. Ricoeur addresses this issue by proposing the necessity of a degree of what he calls 'critical distance' and we will return to consider that idea below.

Habermas on the other hand identifies three 'interests' which govern all human activity. Of these the most important is the third, our interest in emancipation, and it dominates the two which precede it, our instrumental interest and our practical interest or that in communication. This interest in emancipation has a critical aspect to it in the sense that it addresses the issues of our freedom of perception in a particular way: it 'is only active in the work of

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[28]Ibid., p. 157.

unmasking hidden systematic distortions.'[29] This according to Ricoeur is where the argument between Gadamer and Habermas is joined. On the one hand we are unable to make independent critical assessments of non-scientific truth claims and on the other we have an over-riding concern to establish our freedom in all things. Ricoeur sees the conflict being between Gadamer's 'hermeneutic of traditions' and Habermas's 'critique of ideologies'. A solution, or a move towards a reconciliation, might be achieved by applying the insights of one side to the problems of the other. For Ricoeur it involves establishing sufficient distance to enable the individual to perceive critically what is happening. He argues that this is possible and that we know this from our own experience. It is true that 'a value becomes valuable beyond the historical-cultural circumstances of its birth.'[30] An idea, a text or an institution, may have a power and worth independent of its initial circumstances and it will go on to acquire other new associations different from those original ones which were determined by either its genesis or previous context.

Ricoeur challenges Habermas's notion that our interest in emancipation is the highest of our concerns and

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[29]Ibid., p. 159.
[30]Ibid., p. 161.

argues that without some specific concern to address, such an interest is in danger of being without direction and consequently without point and value. Ricoeur attaches the interest in emancipation to the task of communication to give it a focus and in that way attempts a joint solution:

> How is it still possible to preserve the difference between the 'good life' constantly professed by philosophers and the purely quantitive growth of material goods which appears to be the sole law of the industrial system? It seems to me that only the conjunction between the critique of ideologies, animated by our interests in emancipation, and the reinterpretation of the heritages of the past, animated by our interest in communication, may yet give a concrete content to this effort.[31]

Concluding his review of the debate with a marriage of the two critical concerns, that is satisfying in its tidiness more than in its obvious practical application, Ricoeur states that:

> The ethical life is a perpetual transaction between the project of freedom and its ethical situation outlined by the given world of institutions.[32]

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[31]Ibid., p. 164.
[32]Ibid., p. 165.

iv beyond the Gadamer-Habermas debate

David Tracy, an American theologian, has made interesting use of the work of Gadamer and Habermas. His ***Plurality and Ambiguity: hermeneutics, religion, hope*** (1987) is an exploration of the problems of interpretation and our necessary limitations in that task. His study is preliminary to a larger work focussing on the implications of these contemporary models of interpretation for Christianity. ***Plurality and Ambiguity*** is to an extent derivative and covers ground already familiar through our review of both Gadamer and Habermas. However, Tracy has a different end in view to those of the writers he draws upon and his application of some of the material is fresh because he approaches it with his own concerns. He also has the ability in places to express Gadamer and Habermas's thought concisely and clearly. His work is of interest here because he applies the insights of critical hermeneutics to the general area of Christian theology. My concern in following Tracy is to see how these insights might in turn be applied to the task of ethical reflection, especially that of Christian ethics.

Tracy, echoing Gadamer, defines his task in terms of interpretation:

> Interpretation seems a minor matter, but it is not. Every time we act, deliberate, judge, understand, or even experience, we are interpreting. To understand at all is to interpret. To act well is to interpret a situation demanding some action and to interpret a correct strategy for that action. To experience in other than a purely passive sense (a sense less than human) is to interpret; and to be 'experienced' is to have become a good interpreter. Interpretation is thus a question as unavoidable, finally, as experience, understanding, deliberation, judgement, decision, and action. To be human is to act reflectively, to decide deliberately, to understand intelligently, to experience fully. Whether we know it or not, to be human is to be a skilled interpreter.[33]

While we might challenge Tracy's last and rather optimistic statement, because clearly too many humans are not sufficiently competent interpreters of their own or other people's experience, we can affirm his point that it is an activity which pervades every aspect of life. The way we understand our experience is not a purely cerebral activity but one that must be undertaken frequently, by all, and often takes place unconsciously. The broad character of this task was demonstrated by Gadamer and Habermas in their investigations into language.

Drawing on Gadamer, the task of interpreting can be broken down fairly simply into three aspects, each of which require consideration. There is the item, be it

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[33] ***Plurality and Ambiguity***, p. 9.

which require consideration. There is the item, be it tradition, culture, text or another individual needing to be interpreted; then follows the individual wanting to assess or understand the object of his enquiries. Thirdly, there is the interaction between the two parties: the sense that both have some form of impact on the other that means as a result of the consideration undertaken neither is quite as it was before the interpretation took place.

Interpretive methods remain an issue and Tracy suggests adopting the model of the 'conversation' as a means of pursuing the inquiry. He outlines both what it is and what it is not:

> Conversation itself is another kind of game...where we learn to give in to the movement required by questions worth exploring. The movement in conversation is questioning itself. Neither my present opinions on the question nor the text's original response to the question, but the question itself, must control every conversation. A conversation is a rare phenomenon, even for Socrates. It is not a confrontation. It is not a debate. It is not an exam. It is the questioning itself. It is a willingness to follow the question wherever it may go. It is dia-logue...a game with some hard rules: say only what you mean; say it as accurately as you can; listen to and respect what the other says, however different or other; be willing to correct or defend your opinions if challenged by the conversation partner; be willing to argue if necessary, to confront if demanded, to endure necessary conflict, to change your mind if the evidence suggests it.[34]

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[34] ***Plurality and Ambiguity***, pp. 18-19.

Here Tracy shows a clear view of both the requirements of conversation and within that a real sense of the possible difficulties that may emerge in any attempt at a genuine discussion. He even suggests a re-opening of the Gadamer -Habermas debate on the truth claims of art, myth and religion on the basis of his new model of the conversation which he considers to be potentially more effective in following human patterns of communication than the model used, that of explicit argument.[35]

Tracy has set himself the task of applying the model of conversation to the ambiguities and plurality within the Christian tradition. In ***Plurality and Ambiguity*** however he limits himself to some general considerations of the religious enterprise. He acknowledges that the task of interpreting the religious texts and traditions is a complex one. He argues that the religions are even more complex than other areas considered by the advocates of modern hermeneutics - art, historical writing and philosophy. Here he makes some observations that will certainly need to be addressed in any application of the hermeneutic method to ethical thought. Claiming that the interpretation of the religions is difficult, he

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[35]Ibid., p. 118, note 28.

goes on:

> For religions do claim, after all, that Ultimate Reality has revealed itself and that there is a way of liberation for any human being. But even this startling possibility can only be understood by us if we risk interpreting it. It is possible that some interpreters may have encountered the power of Ultimate Reality. They may have experienced, therefore, religious enlightenment and emancipation. But these claims can be interpreted only by the same kinds of human beings as before: finite and contingent members of particular societies and cultures. They demand our best efforts at rigorous, critical, and genuine conversation. They demand retrieval, critique, and suspicion.[36]

At least one of the reasons why Tracy believes this task to be so important is the need to address the concerns of those who dismiss religious claims or refuse to take them with any degree of intellectual seriousness because 'the history of religions also includes such an appalling litany of murder, inquisitions, holy wars, obscurantisms and exclusivisms.'[37] A similar point is behind part of the present enterprise: given the disregard in which their tradition is sometimes held, how can Christian ethicists contribute to the wider ethical debates in such a way as to be heard? Tracy takes seriously the predominantly ethical charges made against Christianity and goes on to acknowledge that no-one who tries to advocate the religious point of view can do so with

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[36]Ibid., p. 86.
[37]Ibid., p. 85.

clean hands. Further however:

> If interpreters of religion come with any pretence to purity, they should not be listened to. If religious thinkers will not combat the obscurantisms, exclusivisms, and the moral fanaticisms within their own religious tradition, how can the rest of us take them seriously as providing new strategies of resistance?[38]

Working in this area, Tracy needs to demonstrate that he takes full account of the problems of pluralism, especially within religious and ethical dialogue, in the same way as the study of language leads us to understand the degree of pluralism in society and in history. Going on from there, it is obvious that we must consider 'competing visions of the good life, how can we decide on the most relatively adequate one for responsible action?'[39] A drawback, whenever there are many completing alternatives, is to pretend that it is a virtue to live with them all. There may be some truth in that point of view but it can also be the lazy way out of considering which alternative represents the most adequate choice in any given set of circumstances. Tracy condemns such an approach, noting that there are circumstances in which 'pluralism demands suspicion' for it can mask 'a genial confusion in which one tries to enjoy the pleasures of difference without ever committing oneself to any particular

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[38]Ibid., pp. 85-85.
[39]Ibid., p. 65.

vision of resistance or hope.'[40] Here, as in his discussion of conversation as a model of understanding, Tracy is not naive in his expectations. He demands of a true pluralist outlook certain characteristics which will ensure that it amounts to more than a commitment to both openness and possibilities:

> There must be criteria to assess the coherence or incoherence of any possibility with what we otherwise know or, more likely, believe to be the case. There must be ethical political criteria on what the religious option will mean for both the individual and society.[41]

Tracy even talks of the need to employ a 'hermeneutics of suspicion', a term which he borrows from Gadamer, when the issue under discussion involves problems that stem from something more complicated than error.[42] This takes us back to the criteria of rationalism.

v towards a dialogical model in ethical reflection

Having indicated something of the range of thought about dialogue at the philosophical level, it is necessary to relate this material directly to the task of developing a model of ethical reflection based on dialogue. This chapter opened with the concern, from

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[40] Ibid., p. 90.
[41] Ibid., p. 91.
[42] ***Plurality and Ambiguity***, p.73. See also p. 132, n. 29.

the previous chapter, about the relative nature of conclusions. In following that issue, three avenues were pursued. The first was the concern among historians about objectivity in writing and assessing evidence. This led into a consideration of the work of two philosophers who have addressed the issue thoroughly in terms of discussions about language and meaning. The work of Gadamer and Habermas not only helped in the issue of the relative nature of conclusions but added to our understanding of the nature and constraints of dialogue in general. The third and final avenue considered was a work by a theologian where some of the ideas developed by Gadamer and Habermas were applied to Christian theology. Each of these areas of study is independent and yet reflects a similar concern to review the objectivity of truth claims. Now I want to make explicit the connections between these areas and the idea of dialogue as a model for ethical reflection.

Changing the order of the review within this chapter, the first area to be considered now is that of the material from Gadamer and Habermas. Gadamer's reflections confirmed from a philosophical perspective our general ideas about the necessary preconditions to good dialogue, such as openness, reciprocity, respect and trust. In addition, when he spoke of the spirit of

the conversation, he was employing a helpful metaphor for understanding the necessarily open nature of any dialogue that matches these criteria. This idea helps us to realise clearly the open nature of the enterprise when we talk of trying to develop a model of dialogue for ethics. We are not talking about a system which enables us to anticipate a certain outcome by always following predetermined ethical rules or principles. We may attempt to regulate the process by trying to establish appropriate procedures but that will not allow us to know the outcome in advance. Gadamer's second valuable contribution in this area is his use of the image of the translator who works with language, rendering concepts and feelings which are not directly equivalent in different languages. This image is very helpful when trying to understand some of the complexities and confusions which emerge in trying to communicate difficult matters.

Thus in proposing a model for ethical reflection which is based on dialogue we have identified, and found confirmation of, certain necessary criteria from a range of disciplines. The initial suggestion of a round table as a metaphor for understanding the spirit of the dialogue is another way of expressing Fisher and Ury's idea about the participants not having to bargain over positions. There is neither head nor foot to the

table: all positions are ideally of equal importance as the dialogue opens.

The material about the nature and manner of dialogue provides an understanding of the necessary disposition and process. Within the model of dialogue that I am suggesting for ethics, all of this has been the prelude to the delicate task of creating an environment in which to address the central issue of contemporary moral disagreement. This is the area identified by MacIntyre and to which I want to apply reflections from the thought of Gadamer and Habermas.

As has been shown, Gadamer and Habermas have a common concern with the process of communication and the extent to which that process cannot be free and unimpaired by traditions and individual perceptions. MacIntyre's view of contemporary moral confusion centres on the inability to resolve moral conflicts: competing positions are informed by or derived from differing and incompatible traditions of moral reflection. This is the context into which I want to try to introduce dialogue as a method of ethical reflection. In particular, the work of Gadamer and Habermas may help in providing a means by which the proposed dialogical model might engage with the problem of competing moral convictions.

The concern of historians to acknowledge the difficulties in establishing objective evidence and accounts of the past was our first step towards acknowledging difficulty in establishing fixed points. This is the recognition that that which may appear to be a straightforward opinion or conclusion is in fact made up of many possibilities for misunderstanding. Some are innocent and unconscious, others are wilful and conscious. These concerns have been acknowledged in the early non-philosophical material on dialogue. The debate between Gadamer and Habermas provides a possible way around the difficulties, based on more than good-will and optimism.

We cannot be clear about the extent to which our opinions and accounts of events are objective. It follows that our use of language is similarly constrained by our experience which informs our worldview. Consequently to what extent may we rely upon our truth claims? They too must be influenced by our limitations in those spheres which so closely determine our philosophical construction of reality and our necessary and consequent interpretations of it. Ethical perspectives and conclusions are subject to these limitations. This is a liberating perspective in the sense that it means that some of the absolute points claimed in moral discourse may legitimately be

challenged. They are subject to scrutiny in terms of their rational criteria and may not claim any special extenuating circumstances in their origin which puts them above either examination or criticism. This has particular and obvious relevance for religious truth claims.

Here Tracy indicated a manner in which such traditions might similarly be subject to scrutiny and self-examination in the light of the work of Gadamer and Habermas. Tracy reinforces their analytical approach specifically in relation to the critical examination of religious truth claims. Tracy's work is driven by a twofold concern. He sees the need for repentance in those areas where the tradition has fallen short of its aims and also the importance of apologetics where the tradition needs to commend itself afresh. Tracy proposes the model of conversation as a means of pursuing this process. The model he outlines is too loose to adapt directly for ethical reflection because it deliberately places emphasis on an informal approach to the process of critical reflection. This may work well in the context he envisages for it which is critical reflection within a tradition, where the very informality may help the process. However in ethical reflection with participants drawn from a range of moral, religious and cultural traditions there is need

for a formal structure which will help to hold the delicate process of common reflection.

Ricoeur identified the Gadamer-Habermas debate as one essentially about values. There is a tension between the idea that values are discovered rather than created and the opposing view that values are the work of freedom. As Ricoeur noticed, this applies directly to ethical reflection. Gadamer's perspective is that we are unable to make independent or objective critical assessment because of the many cultural and personal influences on our perspective and in our use of language. Habermas counters this with the claim that we have an over-riding 'interest' to establish our freedom. Thus, no matter how culturally and personally constrained we are, our drive to freedom works within us to provide the rational tools by which we may attempt sufficient of an understanding of these constraints to be able to take them into account and develop a self-critical perspective. In ethical reflection there will be perspectives held by various participants in the debate which appear to be intractable but in this scheme may be subject to critical rational reflection.

This chapter has been concerned with ideas which have a clear bearing on the proposal of dialogue as a method

of ethical reflection. It is my intention to examine the application of these ideas, along with the general conditions of dialogue outlined previously, in relation to Christian ethics. This exploration will assess the proposal outlined so far in relation to a particular moral tradition with a clear basis in religious faith. I want to see how the proposal is capable of working in such a context, with conflicting faith claims as part of the background to moral discourse. Secondly, I will consider the extent to which this model of ethical reflection may both challenge and equip Christian ethics to participate fluently in ethical discussions within a pluralist society.

Chapter 4

Dialogue And Christian Ethics

> Dialogue is at the heart of Incarnation.
> (Maggie Ross)[1]

The three preceding chapters establish in different ways that the skills of dialogue are necessary in a pluralist society. In this chapter I will examine the extent to which Christian ethics is compatible with and may in turn contribute to the process of dialogue. As part of this task we will consider some contemporary examples of Christian ethical reflection and attempt to understand their contribution in terms of the proposed round table dialogue. There will then be a wider review of the tradition of Christian ethics provided through H. Richard Niebuhr's five models of understanding the relationship between Christ and culture. This will lead into a discussion of work by Lesslie Newbigin which has interesting parallels with aspects of the debate between Gadamer and Habermas. The fourth and final section of this chapter will look directly at the opportunities and challenges for Christian ethics in adopting the round table model of dialogue as a method of ethical reflection. This

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[1] ***Pillars of Flame*** (1987), p. lxvii.

chapter is preparatory to two extended case studies in which the Christian contribution will be a main focus of attention.

The argument of this chapter, and by extension that of the thesis, is that Christian ethics not only can but should contribute to round table dialogue. There are obstacles to this process and some of them come from within the Christian tradition in the form of absolute points of reference that have traditionally formed part of the Christian world view. This chapter will look specifically at these problems and try to make clear the connections between the thoughts on dialogue outlined above and strands of Christian ethical reflection which may connect with or benefit from this work. Although the discussion here will relate quite specifically to only one religion, Christianity, the conclusions drawn may well have relevance and application in relation to other moral traditions with religious premises.

i some contemporary examples of Christian ethics

In the introductory chapter I attempted to give a flavour of modern moral discourse. Here my concern is to do the same for current Christian concerns in ethics. I will also indicate how these approaches,

with their respective strengths and weaknesses, match the developing criteria of dialogue as a method for ethical reflection. This is obviously a potentially huge task and has therefore to be made manageable. Four texts will be considered, representing in different ways the areas of debate: the broadly popular, Frank Wright's ***Exploration into Goodness*** (1988); the theoretical, Stephen E. Fowl and L. Gregory Jones's ***Reading in Communion: scripture and ethics in Christian life*** (1991) and Don Cupitt's ***The New Christian Ethics*** (1988); and the specific and practical approach of Stanley Hauerwas in ***Suffering Presence*** (1988).[2] Each has been chosen because they deliberately set out to address issues of morality in a way that is specifically related to how Christian ethics can contribute to the wider discussion.

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[2]This choice is limited but I try to show the range of current work. The popular work of Frank Wright is representative of a strand of liberal apologetic, while Fowl and Jones write in the tradition of academic reflection. This is true in a different sense of both Cupitt and Hauerwas who as well as being academics have a wider popularity. Perhaps the Vatican's ***Veritatis Splendor*** (1993) should also have been included, but I omitted it for two reasons. First, it does not represent a contemporary approach except in the sense that it was published recently; it argues from traditional Roman Catholic premises and one such example of the these, the Principle of Double Effect, will be considered at length in chapter 6 below. Secondly, ***Veritatis Splendor*** is already part of a large debate to which it would not be possible to give proper consideration in the space available.

There are two main strands in contemporary Christian ethical thinking. One concerns itself with the exploration of historical theories and often attempts to provide a modern rendering of an old theory.[3] The other approach is that inspired by a timely combination of liberation theology and situation ethics. The latter places an emphasis on discerning the right course of action in any given situation by attending to the specific requirements and constraints of that situation alongside the attempt to be motivated in that assessment by the guiding principle of discerning the most loving thing to do. Liberation theology has developed in practical situations with an emphasis upon the the principle of 'learning by doing'. Theory is developed in response to what is met and experienced. The perspective and applications of liberation theology have given situation ethics a direction which otherwise might have become lost in a blur of well-intentioned antinomianism. When employed in a rigorous fashion this approach can be most illuminating. A good example is provided by the work of Stanley Hauerwas, whose starting point in ***Suffering Presence*** is a range of particular socio-medical problems which he then addresses in a stimulating fashion.

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[3]Helen Oppenheimer's ***The Hope of Happiness*** (1983), for example, despite its subtitle, 'a sketch for a Christian Humanism', might also be described as a re-interpretation of natural law theory.

In ***Exploration of Goodness***, Frank Wright's focus is the common attraction of goodness. He has specifically chosen the topic of goodness over holiness, 'because whatever the intimate connection between the two, goodness has the power to strike deep down into the popular mind and transcends any ecclesiastical boundaries'.[4] While not describing itself as an ethical text, the work is concerned with right action in relation to God, towards oneself and among one's fellows. The main theological argument is that in drawing nearer to God and thus increasingly losing one's sense of self, the individual is set free from self-interest to perform virtuous acts.

In spite of Wright's intention to establish his argument in an open way, it becomes clear that Christian faith is that which for the author holds together certain of life's paradoxes. Faith is the motivation of goodness or the reason for a lack of self-interest in the face of suffering. If one did not share the author's Christian point of view, it is not clear that the book would be more than a collection of interesting anecdotes interwoven with reflections on the difficulty of understanding what makes for good behaviour, however clear it may be to recognise when present. The reason for considering ***Exploration into***

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[4]***Exploration into Goodness***, p. 1

Goodness, a declared concern to establish an inclusive approach to the idea of virtue, is not supported by the text. Wright's work fails in precisely the area the author intended it to address because his approach does not take sufficient account of the difficulties in engaging with the wider debates about the nature of goodness. There is in his approach no attempt to enter dialogue, with the possibly unintended result that his text does not appear open to others who share his concern if they do not also share his presuppositions.

MacIntyre, Sacks and Gill have each spoken of the importance of the community in developing and sustaining moral traditions. There is a clear need to develop and nurture moral identities, which should be done in a way that encourages the followers of each tradition to relate constructively to other traditions. Unless this happens we will not emerge from MacIntyre's new dark ages. It is against this background that the idea of developing dialogue as a method of ethical reflection is so important. The need for this is clear when it is still possible to read books about Christian ethics that do not explore how the ethical principles that they are discussing and investigating connect at all with the world beyond the Church. Some writers appear to see the focus of Christian ethics as the Christian community and do not direct their thought to

how those they encourage to think morally might in turn influence the wider moral debates in society. While this way of thinking reflects closely one of Niebuhr's five patterns of the relationship between Christianity and culture discussed below, it is not adequate in facilitating common moral reflection in a pluralist society.

Sometimes a point may be reinforced by an example of how something should *not* be done. Fowl and Jones, in ***Reading in Communion***, argue for the importance of re-integrating an informed or critical reading of scripture with Christian reflection on ethical behaviour. Their focus is the individual Christian and their study is initially very interesting in the ideas they employ to broaden the traditional perspectives of personal ethics. However, where their work is ultimately disappointing is its lack of consideration of the responsibility of Christian ethics in the social role. Although some consideration is given to what may be learnt by Christian ethics from secular moral philosophers, no consideration is given to how the reflection Fowl and Jones advocate may in turn be communicated to the wider forum of ethical reflection beyond the Christian community.[5]

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[5]See especially chapter 5, 'Listening to the voices of outsiders'.

While it is good and valuable that the authors should be drawing on the insights of secular thought in the task of Christian ethics it is disappointing that the link only goes one way. Fowl and Jones are obviously prepared to employ several of the characteristics of dialogue as identified for ethical reflection when drawing on the thought of non-Christian writers but their concern does not extend to communicating the message they develop back into the main stream of contemporary moral reflection. Christian ethicists should be prepared to attempt this. Both Wright and Fowl and Jones in different ways and probably without intending it are in danger of making Christian ethical reflection an internal concern of the Christian community. It matters that Christians engage in ethical reflection. It matters too that their work is undertaken in a way that acknowledges that Christian ethics always has a wider scope and concern than the community which initially develops it. The next two texts to be considered both address this wider concern.

Don Cupitt's ***The New Christian Ethics*** is more substantial than either of the two previous texts considered in this section. Cupitt is concerned with the demands of Christian morality. This exploration is set within the author's wider quest for an intellectually honest and contemporary theology. My

interest here is to look only at his moral philosophy as set out in the text under discussion. While recognising that Christian ethics cannot be separated from theology, criticism of Cupitt's general theological system will be mentioned only when that is an integral part of his ethics.

Cupitt's concern to develop a modern Christian ethic is based on his reassessment of our understanding of the nature of God and further on the close relationship between particular views of God and the Christian's moral responsibility in relation to that God. In ***Life Lines*** (1986), Cupitt clearly identified a number of different religious points of view showing how each in different ways led to a range of emphases on aspects of the nature of God. Cupitt has been consistent in his writings in trying to identify images of God consequent upon particular theological concepts or ideas which in various ways contradict the New Testament image offered by Jesus. Therefore, it is not surprising to find early in ***The New Christian Ethics*** the statement that 'it will only be because the old almighty God has gone that Christian ethics can at last come of age'.[6] Cupitt's new task is expressed in terms familiar to us from the debate between Gadamer and Habermas:

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[6]***The New Christian Ethics***, p. 15.

> Only through the death of that God does Christian ethics at last acquire the duty and the authority to create value *ex nihilo*, which marks it as truly Christian and enables it to redeem our life.[7]

The old system of Christian ethics in contrast to which Cupitt sets out his ideas is described by him as punitive, stultifying and schizophrenic. He claims that in the influential writings of St Augustine the point of doing good was not in order to benefit the other (the recipient of the good deed), but rather the action acquired merit in proportion as it was undertaken to enhance the agent's relationship with God.[8] However, as part of the schizophrenia, at the same time the individual was not to excel in anything except devotion to God and ambition must always be disclaimed.[9] Part of the business of living was not to offend God and creation was seen as providing a collection of traps for the unsuspecting pilgrim. 'You were moral if in your conduct you enacted culture's victory over nature.'[10] Cupitt sees the three classical ethical theories, deontological, teleological and mythical as depending upon 'a cosmic moral order and scheme of things that pressurizes us in the right direction'.[11] In short, there was little real freedom for individuals, who found themselves bound by a series

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[7]Ibid., p. 15.
[8]Ibid., p. 16.
[9]Ibid., p. 51-60.
[10]Ibid., p. 103.
[11]Ibid., p. 133.

of moral precepts dependent upon an image of God which was antithetical to the individual's creative and free response to the challenges of life.

The task of the new ethics 'coincides with the task of the traditional theology of redemption'[12]. However, there are now no objective moral criteria: 'Thus Christian ethics will not now begin with moral principles that have supposedly come down to us from above. It will begin where any ethic must begin, with the will to live'.[13] Echoing Habermas's interest in freedom, effort must now be directed towards creating or attributing value, rather than discerning among the clouds perfect moral precepts which we must find and then follow more closely.

> The fully-redeemed human life, the best life any of us could aim for, is the life that is ethically creative. That's the life that saves the world: it creates value where previously there was no value and it makes meaning by minting new metaphors.[14]

Ascribing value is the moral task and this is broken down into two distinct areas: the individual and the social. In terms of the individual, the task is to let go of old notions of the self as independent and self-sufficient, permanent and capable of completeness.

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[12]Ibid., p. 18.
[13]Ibid., p. 103.
[14]Ibid., p. 115.

We are transient and most fully human when, as social beings, we are structuring our lives in such a way that it is given over to others in 'service of a supremely good and perfect lord'[15]. Becoming such a self is seen as a difficult and permanent moral task: to be finished is to be dead.[16] The moral self is not a being in isolation as it matters for the task that we communicate, both the quest of valuing and the values thus arrived at, however transitionally. These communications take place in bodies similar to MacIntyre's schools of virtue; it is through 'membership of a sub-group, a moral community dedicated to the pursuit of the virtues'.[17]

There are wide implications of this moral task. We must, Cupitt says, look to our language to see those groups and individuals whom we despise or quietly do down: women, homosexuals and others. 'Life is valuation and the ethical task is to maintain and advance the general worthwhileness of life.'[18] More specifically:

> Your life-task is to create a bit more value (which equals a bit more reality) for us all, by inducing us all to speak a bit more kindly of something or other - preferably something that is

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[15] Ibid., p. 77.
[16] Ibid., pp. 60-68.
[17] Ibid., p. 101.
[18] Ibid., p. 135.

having a bad time and is the victim of prejudice.'[19]

We may want to shy away from the responsibility of valuing, but Cupitt points out that all human life is in every moment concerned to make 'micro-evaluations' upon which we continually act. The new values must, however, be inclusive as well as being clear. The old values did people down, creating losers in society. The new values must affirm human experience in a way that encourages all citizens both in themselves and in their moral task. In a separate article describing this overall approach, Cupitt concludes of his ethics that 'because it emphasises the struggle to revalue the devalued it can I believe call itself Christian.'[20]

Greater consideration has been given to Cupitt here than to either Wright or Fowl and Jones because Cupitt makes explicit the connections between secular moral philosophy and the Christian enterprise. He does this in a way that clearly indicates areas of mutual concern. In particular, the relation to the need to find solutions to contemporary problems and the accumulated wisdom of the tradition which in several cases cannot elucidate the task.

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[19] Ibid., p. 155.
[20] 'The Value of Life', ***Modern Churchman***, new series, 32 (1990), pp. 39-45 (p. 45).

It might be asked how fair is Cupitt's picture of historical Christian ethics and in response one would have to acknowledge an element of caricature. The essential picture of the predicament is not unfair, especially where he portrays the tensions placed upon the individual: ambition is unacceptable, even when that is expressed as a passion for sanctity, and further the tension encouraged between our intellectual and physical natures. Cupitt's approach seeks a harmony between our nature and our ideals, so that we are encouraged by the congruity rather than taxed by a dualist conflict between the physical and the spiritual or ethical sides of our nature. However this task may be frustrated because Cupitt is weak when it comes to that aspect of human nature which reflects our fallen state. This is in part because he sees some historical human failures in virtue as attributable to a moral world view which has been dominated by fear and manipulation rather than the free expression of the individual's will. Such a view takes insufficient account of our continuing ability as humans to make less than the best of some situations, however free we may be from negative external constraints. In fairness, Cupitt does not expect the new moral task of ascribing and affirming value to be straightforward: he describes it as requiring 'self-discipline' and 'minute care in one's relations with other people'(64).

The overall task of ethics is clear enough in ascribing and affirming value, but how is one to discern between the competing values ascribed in any particular case: for example, that of the artificial prolongation of life? How may we be helped to decide between the 'right to die' and the 'right to life', especially as there is to be no system?

> The way to salvation is by actively striving to push up our values, and ennobling everything that is currently rated too low. But for this work of redemption, we don't need a system. We don't want conscience, rules or guilt. We need freedom, creativity and vigorous emotions.[21]

Cupitt is working to establish the ethical autonomy of the individual within the community of all working for good. We find an energetic commitment to explore beyond the frameworks from which we have irretrievably moved. His suggestion needs clarification in particular situations to avoid and limit some inevitable conflicts and confusions. In ***The New Christian Ethics***, Cupitt articulates part of the concern of this thesis without the necessary model of dialogue. The six identified principles which help in applying dialogue as a method of ethical reflection could provide Cupitt with the framework he does not want but needs to successfully apply his proposal. The business of ascribing value could be helped by drawing

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[21]***The New Christian Ethics***, p. 167.

directly on some of the insights from the Gadamer-Habermas debate, in particular the reflections on the difficulties in the task.

In Stanley Hauerwas's essays ***Suffering Presence*** he addresses issues where medical, Christian and social concerns overlap. Where Wright, Fowl and Jones and Cupitt have each addressed the general field of moral debate, in these studies Hauerwas approaches particular issues: suicide, brain death, the plight of the handicapped and the retarded. His starting point is clearly that of Christian faith and in these essays he tackles issues which concern all society. He is not anxious about his specifically Christian perspective and consequently, although this does not always follow, in his ethics he is also a good apologist.

Hauerwas's method is interesting. He sets a particular bioethical predicament or process over against one or more specific theological ideas in such a way as to illumine both the problem and the idea. An example from ***Suffering Presence*** is that of whether or not children known before or at birth to have some form of serious defect should be assisted or allowed to continue living, given that all they and their families can expect is years of suffering. Hauerwas asks the question, who is to be protected from the suffering -

the child, his or her family or society? Suffering is part of the human condition and Hauerwas affirms a view of life as it is over against a sanitised version: 'Suffering...is not something you eliminate, but rather something with which you must learn to live.'[22] Suffering is not only an unavoidable part of life but an essential element of living that at best offers an opportunity for growth. Whatever, suffering in itself, especially given the lack of clarity about who is being protected from it, is clearly not grounds sufficient to justify the death of an unborn or newborn infant.

Thus, Hauerwas shows how the idea of the value and the uniqueness of each human life may be obscured by the concerns of the moment. The sacredness of life is affirmed against the convenience of eliminating particular forms of suffering or sources of discomfort. In this, as in the other topics he discusses, Hauerwas shows how problems arise because of the sometimes unacknowledged influence of general underlying assumptions. The effect of these influences can be to create serious misunderstandings in our communication, especially fear of differences and of dependency. Hauerwas does not use the model of dialogue in his analysis but he employs the characteristics we have identified. He looks to trust and a rational basis for

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[22] ***Suffering Presence***, p. 24.

all perspectives and to reciprocity in his dealings with the concerns of other disciplines. Further, he takes account of the particular context of his criticism. As with the previous texts we have considered, it is important to acknowledge that they were not written to address the concerns we bring to them in this study. Hauerwas does not set out an explicit model of dialogue even where he appears to use criteria similar to those identified as necessary for dialogue as a means of ethical reflection.

This brief review cannot pretend to be complete, even as a treatment of the texts discussed. What I hope to have shown is something of the diversity of approach in Christian ethics even among those authors where there is a commitment to exploring connections between their writing and the wider moral debates. In Wright, an exploration of a promising topic languished because of an inability to keep the openness declared at the outset and simultaneously the lack of any clear conceptual framework. Fowl and Jones, in spite of an awareness of the issues in the wider process of moral reflection, end up like Wright in danger only of talking to themselves and other members of their 'community'. Cupitt, although honest and open in his proposal of a new ethic for Christians, was weak in key areas and could have been clearer in order for his

work to have a wider application both within and beyond his intended audience. Furthermore, it is not clear that his description of his ethics as 'Christian' is as apt as he claims. The specific context of faith as a relationship with the divine, which impinges upon behaviour and consequently ethics, needs to be described more forcefully. Most promising was Hauerwas, both generally and for my purpose here. Although not referring explicitly to a dialogical model, he had obviously employed several of the general principles of dialogue in his work. In assembling his argument he drew on other work in a way that respected its initial context. He established parallels between ideas from medical, theological and ethical thought resulting in perspectives that could win approval from a range of concerned parties in the debates to which he contributed.

This review has demonstrated two things. There is a need for those involved in Christian ethics to develop a clear and coherent approach to engaging with other moral traditions in order to participate effectively in the wider process of ethical reflection in a pluralist society. However valuable it is to reflect on the particular perspectives of one moral tradition it is essential that ways be discovered for these to be connected with the wider debate. It is clear from the

concerns of the writers considered here, especially Hauerwas, that there is a sense of the importance of this task already. Secondly, it is equally clear that in different ways, again particularly in Hauerwas but also in Cupitt, there are ideas emerging which indicate that a model of ethical reflection based on dialogue would be welcome. Some of the patterns and attitudes identified in this study as necessary for good dialogue are already present in some writers' work. One issue is not addressed: the sense in which the clear commitment to Christian faith might present an obstacle to the open nature of dialogue. This concern still needs to be addressed and the reflections of Gadamer and Habermas can help in this task.

ii dialogue and Niebuhr's five models

Before examining Niebuhr's five patterns of understanding the relationship between Christianity and culture, two questions may be asked about Christian ethics and the process of dialogue. Why should Christian ethicists have an interest in dialogue and secondly, what might be the benefit of such an approach in a specifically religious context?

In pluralist societies the need for dialogue is clear. Christian ethics embraces several established

traditions of moral discourse and a continuing commitment to moral reflection as a response to the call of faith as experienced by individual Christians and as an expression of concern for all people within society. How the individual behaves and how communities treat their members and others are both matters of importance for Christian ethicists. If any discussion in a pluralist society is to be fruitful, it requires a system which can hold together diverse points of view: the proposed model of round table dialogue with its six identified points. Participation in as rich and as diverse a form as possible within a framework which can hold the discussion and allow it to develop is essential. Christian ethicists would want to participate and acquire the skills necessary to contribute well. Beyond participation, we turn to the second question: what might be the fruits of the anticipated round table dialogue? These lie in two areas. The first is provided by the process itself, where any individual moral tradition which wishes to contribute to the discussion must be prepared to commit itself to the principles of the discussion as these have been outlined. In particular there must be a commitment to learning through discussion with others and with that a clear and honest recognition that one's own position does not contain any points of absolute or non-negotiable truth. In short, all participants must

recognise the importance of being committed to the process of dialogue. Not to be so committed is to preclude oneself from participation.

The second form of anticipated benefit lies not so much in the conclusions which may be reached, but in the way in which these conclusions and the process by which they may have been reached are viewed by the participants and by those beyond the group. Put bluntly, ethical reflection based on the principles of dialogue may allow greater freedom to come to terms with points of view radically at variance with one's own initial position and yet which one might understand and perhaps sympathise with as a specific result of the process of dialogue. It is not expected that an ethics of dialogue will provide conclusions in every intricate moral conflict which has up until now eluded conciliation. Rather, it is hoped that through the process of dialogue presently disagreeing parties may come to a new understanding of both their own positions and those of their partners in dialogue. Ideally through this they may have a fresh perspective on the issues under discussion and thereby come to a tolerance of positions opposed to their own. Part of the point of using dialogue as a form of ethical reflection is to give an informed basis to moral tolerance in a pluralist society which may in turn lead to

participants finding a moral consensus on issues that previously divided them.

From this brief outline it will be clear that dialogue might pose problems for some positions within Christian ethics. Difficulties might arise from both the way in which Christian ethics have traditionally been disseminated and from the fixed points that it is assumed to work from. In the first stage of what follows attention will be given to the ways in which Christian ethics has been promulgated and the contexts of those processes, drawing particularly on the work of H. Richard Niebuhr. In the following section, there will be an attempt to look at some of the supposedly fixed points in the Christian tradition which might make dialogue difficult in terms of the requirement to be open. In this latter exercise our thoughts will begin with some of the ideas of Lesslie Newbigin, who has worked and written in the area of inter-faith dialogue and proclamation, as expressed in his ***Truth to Tell: the gospel as public truth*** (1991).

It can be misleading to talk of Christian ethics if what is understood by that is a single and coherent point of view. Over its two thousand year history the Christian community has developed several moral traditions in response to new intellectual developments

and to social and political changes. These traditions, while sharing a similar origin in an attempt to respond faithfully to the world around them, have developed patterns which sometimes lead to opposing conclusions on particular topics or issues. H. Richard Niebuhr, in ***Christ and Culture*** (1951), identified five broad ways in which the Christian community has related to the culture of the world over the centuries. These models of relationship between the Christian communities and their environment are directly important for ethics because the way the Church perceives the world determines both how the Christian should relate to others and consequently the way in which ethical discourse is developed and promulgated.

Niebuhr's five models may be understood as paradigms of dialogue or ways of conducting the conversation from a Christian point of view when engaging with those who represent the culture in which the conversation is taking place. In the previous two chapters I have reflected on the theory of dialogue with its challenges and difficulties. Here I hope to show how some of these patterns of dialogue are reflected in the models which Niebuhr has identified. There is no suggestion that he understood the five patterns of Christianity's relationship to culture in the sense that I am exploring it here but neither does what I propose

misuse his work. I am simply demonstrating that his five ways of understanding the relationship between Christianity and culture provide a model which illustrates common Christian approaches to dialogue.

Christ against culture is Niebuhr's first category. This position emphasises the opposition between Christ and the culture of any historical period. The figure and message of Christ is understood by Christians to challenge the prevailing view in any society:

> The counterpart of loyalty to Christ and the brothers is, however, the rejection of cultural society; a clear line of separation is drawn between the brotherhood of the children of God and the world.[23]

History is written in terms of articulated antagonisms and the establishment of distance. The early monastic movement is a good example of this pattern which is always present in Christianity. Most forms of fundamentalism are examples of this perspective where the Christian vocation is understood to set up a tension between the believer and the world. In dialogue this model would be represented by an approach which stated the Christian position on a topic and then expected either agreement or rejection. If the latter were to result that would not be the sign to begin a

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[23]***Christ and Culture***, pp. 47-48.

new phase of negotiation. Rejection would be accepted as a statement that there was nothing further to say until the non-Christian partner to the dialogue changed his mind. Acceptance or rejection could equally be taken as vindication of the authenticity of the view put forward. It was accepted because it was correct: it was rejected because it represented the truth which the other party could not bring themselves to accept. This position or outlook is incompatible with dialogue as I have been outlining it because it does not see any need to overcome the distance between participants where disagreement is sustained. Although this view has a very respectable pedigree in the history of the Church, it is not a model which may be constructively applied in a pluralist culture.

The second model, the *Christ of culture*, is also based on polarities, except that where the last view focused on opposition this one focuses on the recognition of a fundamental agreement between Christ and culture. The figure of Christ is seen as the apogee of human cultural history and the best in each culture is identified with his life and teachings. Where the previous model sought to exclude any sense of sin from the Christian view and community, this model is rather too weak in its appraisal of the role of sin in the world. This view is not sufficiently critical and does

not provide a way of understanding conflicts that arise in dialogue as in other circumstances. There are issues that are likely to be divisive and these need to be confronted honestly. The model of dialogue I have set out provides a way of approaching this issue which is more sophisticated than seeing our own position reflected in that of our participants. At its worst this model of relating can appear to be putting a Christian gloss over all things. It is a view which does not take sufficiently seriously the potential differences between Christian and non-Christian and which in minimising these differences does not do justice to the understandings and integrity of the other participants in dialogue.

The remaining three models each attempt in different ways to mediate between the two polarities of Christ and culture. The first is that of *Christ above culture*. In this view Christ 'is the fulfilment of cultural aspirations and the restorer of the institutions of true society.'[24] He is portrayed as being continuous with but ultimately transcending culture. Were this model to be translated into a pattern of participation in dialogue it would be represented by an approach which tried to show the Christian way as a superior development of the best

[24]Ibid., p. 42.

points and solutions that could be arrived at. Those advocating it or employing it could follow many of the preliminary points of dialogue, such as mutual respect, clarification and learning; they could acknowledge the importance of the context of the discussion. Where I suspect they might have difficulty is in being open-minded in relation to the value of the Christian contribution and in being prepared to accept the relative nature of conclusions. This may not matter if they are aware of their perspective and are prepared to participate honestly around the table acknowledging that they hold a particular view which may be challenged by other participants.

Christ and culture in paradox is the fourth model and the second of the attempts to mediate. This idea has a hint of dualism about it in the sense that it sees the individual as having to carve out a life between two competing forces. Here there is tension between two moralities which are ultimately incompatible. The Christian view will be vindicated in the next world and yet the secular morality holds sway now because all our structures here have divine authority and are capable of mediating God's revelation. In dialogue this view might lead to a level of participation that took all aspects of the process seriously but whose advocates would never be able to commit themselves fully to any

conclusions which did not accord with their understanding of the higher morality.

The final position, *Christ the transformer of culture*, is essentially conversionist. As with the first and fourth positions this one takes seriously the reality of our fallen nature and sees everything in need of redemption through Christ's influence in the individual, our social institutions and the world. However, these institutions are to be engaged with, not rejected as in the first model along with the general development of culture, both of which are objects of concern for the Christian who seeks to influence them through involvement at personal and social levels. This point of view has obvious difficulties for participation in dialogue. Holding it would not, however, preclude an individual from entering the process if one was both prepared to declare one's view openly and at the same time regard it as subject to the same conditions and constraints as others under discussion. Of the five models of ethical relationship identified by Niebuhr, this last comes closest to describing the purpose behind the proposed round table dialogue, which is to participate in the process of common ethical reflection from a Christian perspective yet acknowledging and respecting the positions of the other participants. What Niebuhr does not do directly,

although it might be seen to be part of his argument by implication, is pay more than passing attention to the historical context of the different models of the relationship between Christ and culture as he identifies them. In each section he does identify individuals or movements who are representative of the model he is discussing and in that way the models are located historically. However, if more had been made of the particular historical context within which each model developed, this would have contributed an interesting and useful dimension to the discussion here. This might have shown not only the dominant ideas about society and how Christians could relate to it but also the ways in which the Church had communicated or propagated its ethical teaching in each phase. This latter material would be directly relevant to our task here. I have tried to show something of this by commenting on each position as if it were an approach adopted in dialogue but it is not possible to explore the parallel further here.

One such idea that is very much in keeping with Niebuhr's fifth model of the transformation or conversion of culture although not mentioned by him, is that of 'middle axioms'. This idea also provides a means of addressing if not overcoming the difficulty of how to relate to the demands of the tradition and those

of whatever contemporary situation is being considered. The idea of middle axioms provides a good example of a way of commending Christian ethical principles in a secular context. Middle axioms is the term used to denote the idea that Christian ethics can best function by suggesting general guidelines clearly derived from Biblical principles which will in turn assist those directly involved in resolving a presenting ethical dilemma when used along with their own specialist knowledge. The term itself has been variously attacked,[25] but the following explanation overcomes any confusion which may be caused by the name itself:

> It is...the duty of the Church in our day and place to guide the individual, within...limits of its competence.., what to do with his vote and in what directions to exercise his influence. The requisite principles for the implementing of this duty are fully available to us in the New Testament. No new principles are necessary or are permissible, but only the application of the dominical and apostolic teaching to a situation different from that in which our Lord and His first disciples were ever called upon to stand....It is clear, however, that the carrying out of such a task will involve the formulation, in each case, of certain secondary and more specialised principles to the particular field of action in which guidance is needed. 'Middle axioms' they have been called....They are not such as to be appropriate to every time and place and situation, but they are offered as legitimate and necessary applications of the Christian rule of

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[25]See Ronald Preston, 'Middle Axioms' in ***New Dictionary of Christian Ethics***, edited by John Macquarrie & James Childress (1986), p. 382. This article provides some useful background to the idea as well as a bibliography.

> faith and life to the special circumstances in which we now stand.[26]

The idea of middle axioms has been criticised not only for its name, but more substantially on precisely that ground in which it also makes its worthwhile contribution in spite of the criticism. In attempting to mediate between the biblical principles and the specific aspects of whatever case is under consideration, inevitably any such axioms derived will be temporary and relate to the specific issue in question. Although they may have the virtue of being neither too vague for action nor inflexible when other related instances occur, they will of necessity have the fault of applying in only a limited sense. There may be another weakness in them as well if Robin Gill is right in identifying them as a form of natural law theory.[27] In that the idea requires a degree of discernment on the part of the individual when seeking to apply the axioms, we must assume that we are thought capable of detecting a sense of how things ought to be in the world from the perceived natural order of things.

Nevertheless, middle axioms show both that Christian

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[26] From: ***God's Will for Church and Nation***, Church of Scotland Report 1946, pp. 44-45; found in Robin Gill, ***A Textbook of Christian Ethics*** (1985), p. 62.

[27] Ibid., p. 62.

ethics has already developed a model of reflection which requires it to give full consideration to the specific requirements of particular moral problems and that these must be engaged with through axioms derived from Biblical general principles. The theory of middle axioms acknowledges from a Christian point of view that, for practical reasons, there may need to be an acceptable distance between the suggestions we put forward for application in the ethical sphere and the beliefs we hold. The extent to which this is tenable within the parameters of dialogue as I am trying to describe it will form part of the discussion in the next section.

iii Newbigin and the fixed points of faith in dialogue

Niebuhr's analysis does not make detailed reference to the use of scripture by representatives of his five models. If this issue were pursued, it is likely that those who exemplify the model of *Christ against culture* would have an understanding of scripture close to that held by many fundamentalist groups today. They would be inclined to think in terms of definite fixed points in the Christian revelation which would be taken account of in presenting a Christian point of view in ethical discussion. It is also likely that Niebuhr's other models, with the possible exception of the *Christ*

of culture where all that is best in the culture is seen as being of Christ or at least entirely compatible with him, could be similar in the sense that those who advocate the different ways of relating to culture may do so from various specifically selected readings of scripture.[28] As a faith tradition with a public commitment to ethical reflection Christianity has to find a way of engaging in dialogue that is honest to its faith claims and at the same time respects the common commitments to dialogue. The Gadamer-Habermas debate indicated a possible way forward in this area. We may do this by acknowledging the relative nature of all truth claims and at the same time affirming the importance of the task of critical self-reflection as a means of providing us with the freedom to escape the limits of our subjectivity. Tracy began the task of translating these ideas into theological experience but they still need to be connected with ethical perspectives. Lesslie Newbigin has reflected along similar lines in relation to scripture and that takes us closer to the application of this material to Christian ethical reflection.

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[28]For a discussion of biblical interpretation in relation to Christian ethics in a post-modern context, see J. I. H. McDonald, ***Biblical Interpretation and Christian Ethics*** (1993), especially chapter 8.

In ***Truth to Tell***, Newbigin attempts to rescue the gospel from two captivities which may ensnare it in the present intellectual climate. Both concern us here, although one is of more immediate interest. The gospel is often presented or commonly understood as something which must be taken in one of two ways. It should either be accepted as it is found, in which case difficulties arise in trying to apply its teaching to some present issues, or individuals are unable to take it seriously without some critical reading. On the other hand there is the view that the whole text is understood subjectively and consequently it is very difficult for any message derived from it to be delivered with any force or conviction. In addressing this two-fold limitation of the gospel, Newbigin identifies approaches to the message of the gospel and issues concerning its proclamation which bear on our concern in trying to develop an approach to ethics based on round table dialogue.

Drawing on the argument of the scientist Michael

Polanyi[29], Newbigin is concerned to apply Polanyi's reflections on the false objectivity of science to the issues and concerns of theology. Newbigin wants to find a way of communicating truth which is of common value and important, but this is a task which needs to be worked at as a common enterprise if it is to have more than local or historical significance. Newbigin's argument shows clear parallels with the review of the work of Gadamer and Habermas. He shares the concern that there are no absolute points of knowledge, that we cannot know objectively, independent of our own experience and preconceptions. At the same time there is in the second part of Polanyi's argument as recounted by Newbigin, the notion that while it is not possible to know objectively we may still apprehend facts in a subjective manner but not so as to prevent us using what we know. The key here is the notion of personal responsibility. A false objectivity may

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[29]Polanyi's ***Personal Knowledge: towards a post-critical philosophy*** (1958, second impression with corrections 1962) challenges the tradition within the natural sciences that there is objective knowledge to be had or known. The assumption being challenged here has usually gone hand in hand with another, namely the non-scientific disciplines are based on subjective premises. Here one of Gadamer's motivating interests is affirmed from an unlikely perspective, that of a similar investigation into the truth claims of the natural sciences on lines not dissimilar to his critique of those of philosophy, art and history. My concern here is to follow Newbigin's argument and therefore there is no discussion of Polanyi independent of Newbigin's presentation.

enable us to pretend that the supposed facts have a life and value independent of those we choose to give them. Similarly, subjectivism can be a way of avoiding taking responsibility for what, in spite of the difficulties of knowing, may be perceived and acted upon up to a certain point. The implications of knowing, or in turn of not being able to know, are obviously considerable.[30]

Newbigin offers a way out of this dilemma which has parallels with and complements the solution Ricoeur offered in his review of the Gadamer-Habermas debate. Newbigin's solution is worked out in practical terms and is concerned with the particular issue of proclaiming the gospel in a society which suffers from the two-fold captivity which he has identified. Newbigin challenges the theological habit of asserting supposedly self-evident truths and requires individuals to take responsibility for engaging with the complicated and difficult task of discerning what may actually be known and proclaimed when such truths are understood critically in the terms he outlines.

Newbigin clearly states his position:

> I am trying to talk about the gospel - good news

[30]Lesslie Newbigin, ***Truth to Tell***, pp. 50-52.

> about something which happened and which, in that sense, does not change. The way of telling it, of understanding it, however, does change. It changes within the time span of the New Testament.[31]

Elsewhere Newbigin makes it clear that: 'God's revelation in Jesus Christ is the starting point.'[32] He then develops his idea that proclamation is a learning process rather than one in which those with the facts tell those without them how things are. 'We are learning as we go. That is the only way we affirm that the gospel is not just "true for us" but true for all.'[33] The task of proclamation is not only an individual task, it is set within the context of the purpose of the Church and as such is intimately connected with the tradition of proclamation:

> The Church must always understand itself to be on pilgrimage, *in via*. It takes the tradition with which it is entrusted as the guide for the exploration of new realities, and the exploration of new realities in turn modifies and emends the tradition.[34]

Newbigin is clear that the process of critical reflection developed in disciplines other than theology

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[31] Ibid., p. 12.

[32] Ibid., p. 37. This obviously would present difficulties in dialogue with Jews, among others, but has the virtue of being a clear point, honestly admitted and with which other participants may engage.

[33] Ibid., p. 35.

[34] Ibid., p. 54.

needs to be applied in the area of Christian thought. His adaptation of Polanyi's work on the contingent nature of reality and the consequent relative nature of conclusions has parallels with similar work by Gadamer and Habermas. Newbigin's reflections confirm that acknowledging the value of and seeking to apply these insights need not pose a threat to the traditional basis of religious thought as interpreted in the Christian tradition.

iv dialogue and Christian ethics

Having shown why it is necessary for Christian ethics to contribute to dialogue and identifying ways in which this has been attempted, Newbigin's work made direct connections between the issues identified in the previous chapters and the problems of dealing with religious points of view in the process of round table discussion. Now it is appropriate to explore these connections.

Of the six criteria identified in the two previous chapters, it is clear that Christian participants could assent to several of them right away. It is possible for them to work with others on the basis of mutual respect, leading to trust; of a commitment to mutual clarification, based on a common concern to accept only

rational premises within dialogue; to mutual learning, leading to a sense of reciprocity. Equally there should be no problem in acknowledging a concern to take account of the context of all contributions, both historically and within the dialogue itself. There may be some concern over the sixth principle, that of the relative nature of conclusions, stemming from the contingent nature of reality. Although the bases of this principle have been explored thoroughly in both the discussion of the debate between Gadamer and Habermas and in Newbigin's application to the proclamation of the gospel of similar ideas from Polanyi, there may still be some concern over how this principle might work in practice. The fourth principle and one where there is certainly concern is that of the commitment to being open-minded in the sense of not entering the dialogue with a fixed sense of what would constitute an acceptable outcome.

It is possible to be a participant in round table dialogue as a Christian because to have a declared allegiance to a particular moral tradition is a qualification for being at the table. Such open allegiance is at one level simply a statement of where a participant's moral identity and initial priorities lie. It is possible for the Christian ethicist to be committed to the process because it is directly

concerned to address and facilitate the good of humankind. A Christian ethicist might feel a responsibility to be part of the process because of its declared aims.

At the table, there could be reservations on the part of the other participants about how the Christian will approach the task. The others may wonder about the commitment to the principle of open-mindedness on the part of those representing religious moral traditions. The reservations of both parties may centre around different approaches to the same issues: the ability to be a free participant in discussion and to identify wholly with the open ended nature of the discussion.

It is clear from Newbigin's writing that Christianity may contribute to dialogue where it is understood that there are no absolutes and see individuals and communities as having particular responsibilities for discerning what may and what may not be known. When transferred to the realm of moral discourse this means that it is possible for the Christian ethicist to be fully engaged in dialogue, fully present and without intending either offence or deception because the 'fixed points' of Christian faith are sufficiently far back from the table. Put another way, this means that particular beliefs about God need not overtly influence

the discussion. Furthermore, the Christian's particular reasons for being there, a concern for humankind as God's creation, need not interfere with the intended openness of the process. Obviously such a commitment of faith would exercise influence as a motivator and as such would be subject to rational criticism as a legitimate element of the dialogue. For the process of dialogue to work it matters that the participants accept one another as capable of being fully committed to the venture. It also matters that the participants individually feel themselves capable of working at the process with integrity. Christians can participate as Christian ethicists, honest about both their allegiance and their commitment to the process. The other participants can be convinced that Christians are capable of participating fully and with integrity. There may be more to any participant than that which is declared at the table but in the case of the Christian ethicist it is not concealed.

There are two further areas of concern. Can dialogue be reconciled with the responsibility to proclaim the gospel and is that letting the world set the agenda? Should there be negotiation or proclamation? This is a false juxtaposition because the proclamation of the gospel can take many forms. It is possible to represent or commend the gospel through participation

in common ventures for the benefit of all. If this is accepted, the discussion may then focus on ways of representing or commending the gospel that best declare its strengths, and there is no concern about whether or not the responsibility to proclaim is being avoided. This concern could arise from an approach based on Niebuhr's fifth model, the conversionist approach to culture. So long as the concern to convert was expressed only through the integrity and fairness with which the principles of negotiation were applied in the dialogue, that would not threaten the enterprise. Any attempt to openly convert would be challenged by other participants and subject to critical rational examination.

Secondly, there may be a concern that this model for common ethical reflection allows the other groups to set the agenda and determine how Christians ought to be acting in certain situations. Certainly round table dialogue is a significant change from the idea that the Christian community determines what is or is not acceptable behaviour both for its own members and, as happened throughout Christendom, for the rest of society. New skills need to be learned. The reflection about secular thought and its implications for Christian ethics that was evident in ***Reading in Communion***, by Fowl and Jones, can thus be applied,

focusing the skill and wisdom of the Christian traditions of moral discourse. Christian ethics is in a position for its practitioners to choose between pursuing internal reflection on the life the faithful ought to live or to develop that reflection in the wider context of pluralist societies, learning new skills in order to enrich those discussions which are already taking place.

In identifying these various concerns I hope to have prepared the way to see how dialogue might work as a method of ethical reflection. The next four chapters will be devoted to two case studies, on euthanasia and pornography. In considering the issues involved in these areas of contemporary debate, I hope to show how Christian ethics may use the model of dialogue as a method of ethical reflection and how in turn our understanding of the issues involved may thereby be extended.

Chapter 5

Euthanasia: a case study in ethical confusion

> With what strift and pains we come into the World we remember not; but 'tis commonly found no easy matter to get out of it. Many have studied to exasperate the ways of Death, but fewer hours have been spent to soften that necessity.
> (Sir Thomas Browne)[1]

It is necessary by way of introduction to the second half of this thesis and to this first of two chapters on euthanasia, to explain how I will develop my argument. The first half of this thesis has offered a way of understanding round table dialogue as a model for ethical reflection. The proposal still needs to be tested against actual areas of ethical disagreement.

Several options were considered in deciding on the method chosen. A wide ranging discussion of euthanasia would not lend itself well to the purpose of exploring dialogue as a model for ethical reflection. Here it is necessary to have in some form 'voices' of participants. The second idea was to invite some informed individuals to come together and to conduct a discussion of euthanasia. This might have provided

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[1] ***Christian Morals***, 1716, in ***Religio Medici, Letter to a Friend etc and Christian Morals***, edited by W.A. Greenhill (1950), p. 199.

good material to comment on. However there would be obvious variables and limitations. Another idea was to identify published opinions in the euthanasia debate and to bring them metaphorically round a table and develop their points in relation to one another.[2] This is the approach that has been adopted in the discussion of pornography below but it was not thought the best way of proceeding in relation to euthanasia where the resources for discussion and analysis are so much better. Both of these options, the recorded discussion and the discussion developed from published opinions, are somewhat artificial. However in the discussion of pornography, where this second method has been used, it provided the best way of developing the positions and applying some of the principles of round table dialogue.

Why choose euthanasia? Medical ethics is no more exempt from moral conflict than other forms of moral philosophy. Hauerwas has gone so far as to say:

'Medical ethics'...does not so much solve our

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[2]Two obvious 'voices' might have been provided by the contrasting approaches represented in ***Death Without Dignity: euthanasia in perspective***, edited by Nigel M. de S. Cameron (1990), a publication of Rutherford House, Edinburgh, which advocates a conservative evangelical position within the Christian tradition and the opposite perspective offered in ***Your Ultimate Choice: the right to die with dignity***, edited by the Voluntary Euthanasia Society (1992).

> difficulties as it reflects the moral anarchy of our times, for it is by no means clear how the practice of medicine can be sustained in a morally fragmented society.[3]

There are many areas within medical ethics which reflect competing opinions. Among them, euthanasia has particular appeal because it is an issue about which there are divided opinions even among adherents of the same moral tradition. The differences of opinion are not simply between those of secular and religious points of view. There are interesting variations in both camps, reflecting different emphases within a range of moral traditions. Similarly, euthanasia is of interest because decisions about the end of life in fact stem from whatever view of life is held. Jack Dominion makes precisely this point: 'Ultimately, the philosophical debate will focus on the nature of man.'[4]

In exploring euthanasia through the idea of the round table dialogue I have chosen to examine two actual cases and then to go on to analyse two well defined contributions to the debate. These two 'voices' are quite distinct and although both are essentially secular and in favour of euthanasia they represent different aspects of the present public concern about

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[3] ***Suffering Presence***, pp. 1-2.
[4] 'Euthanasia', in ***Concise Dictionary of Christian Ethics***, edited by Bernhard Stoeckle (1979), pp. 89-90 (p. 90).

euthanasia. Ludovic Kennedy has written and broadcast on the topic at the popular and proselytising level. Ronald Dworkin's approach is that of the analytical academic, although in the text considered here he is deliberately seeking to offer a solution to the linked legal and philosophical difficulties that surround both euthanasia and abortion. I have chosen this way of approaching euthanasia because within a brief space it gives us access to four substantial expressions of the difficulties, bearing in mind Hauerwas's caution: 'that there is no ethically neutral way to describe a moral problem.'[5]

In considering euthanasia I want to use the model of round table dialogue to identify what is happening in each proposal, how the arguments are being constructed and what influences are at play behind the positions adopted. If we think of the ethical consideration of euthanasia as a conversation or dialogue, then in listening to it we may detect important themes or experiences operating implicitly within the transactions. We can try to step back a bit and examine these. There may be sub-themes operating too: ideas which were developed in one context and which are now being applied in another with slightly different meanings or values placed on them. Here we need to be

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[5]***Suffering Presence***, p. 114.

prepared to look afresh at the old ideas, looking at the truths behind them and re-applying them within the present debate, but with their meanings more clearly defined. As part of this commitment to analysis, the second chapter on euthanasia will look in detail at one major theme, an ethical theory which has been identified through the discussions in this chapter as exercising a strong if not always acknowledged influence in the dialogue.

i euthanasia: an introduction

Round table dialogue is not a substitute for information and thus, with a view to understanding some of the origins of the present confusion and possible ways beyond it, it is worth trying to set out as simply as possible what may be involved in euthanasia.

Consideration of euthanasia as a modern ethical issue must take account of the historical context which still influences the debate. Euthanasia has come to the fore particularly this century as an ethical issue as medical technology has found the means of preserving life beyond the limits previously possible. Combined with a deep, traditional commitment from medical practitioners to save or sustain life, people are now kept alive longer and in conditions that they might not

have chosen for themselves. The euthanasia debate is the consideration of the arguments around this dilemma.

'Euthanasia' comes from the Greek for 'a good death' and is now taken to have a much more specific meaning, still within the idea of dying well. It now applies to the notion of hastening death where the patient remaining alive would be subjected to unnecessary and undignified suffering and where the quality of life is so impaired as to bring into question the value of staying alive. Historically, euthanasia has been prohibited by the strong condemnations of suicide or murder. Hume's essay ***On Suicide*** has passages in which the situation being discussed is close to that of voluntary euthanasia as we commonly understand it today: 'a man...tired of life, and hunted by pain and misery, bravely overcomes all the natural terrors of death, and makes his escape from this cruel scene.'[6]

Doctors only became involved with the dying from late Elizabethan times onwards, when they were increasingly required to attend death beds with the purpose of relieving the suffering of those about to die. Until that development, from classical times and throughout the middle ages, doctors avoided terminal cases because

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[6]David Hume, ***Essays Moral Political and Literary***, 1741-42 (1903), p. 589.

they were beyond cure and consequently the preserve of religious figures.[7] Medical involvement with the dying took another step forward in the late nineteenth century with advances in both pathology and bacteriology. Specifically, a number of terminal complaints were discovered to have a common pattern and became known as cancer, an uncurable ailment whose sufferers required relief as they died. Simultaneously, there was both a move away from popular belief in God as the deciding influence in both birth and death (natural causes being seen as little more than what they were) and a philanthropic concern to eliminate or reduce suffering wherever possible.[8]

Gerald Gruman has outlined some important changes in medical philosophies over the same period, which bear on the development of euthanasia.[9] The most immediately relevant of these theories is the oddly

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[7]Thomas More presented a vision of an ideal society which had a system of euthanasia whereby people with painful and hopeless diseases might be helped to die. More was well in advance of his time in trying to give formal expression to the idea of euthanasia as easing a painful end to life by quickening death. ***Utopia***, 1516, translated with an introduction by Paul Turner (1965), p. 102.

[8]Hugh Trowell, ***The Unfinished Debate on Euthanasia*** (1973), pp. 12-13.

[9]'Death & Dying: Euthanasia and Sustaining Life, I - Historical Perspectives', ***Encyclopedia of Bioethics***, pp. 261-268 (pp. 263-6).

named 'obligatory-gift relationship' which developed in the early twentieth century. According to this idea, each individual is held to be morally accountable for ensuring that his lifetime is put to socially productive and profitable use. In one sense, it might be understood as a secular version of the notion of stewardship consequent upon the Christian doctrine of creation, whereby we are held answerable to God for the use or abuse we make of creation and our individual part in it. The outcome is different. The 'obligatory-gift relationship' connects with euthanasia where the individual is deemed no longer to be able to contribute because of terminal illness or disability, for example, and thus may be freed from the constraint to be cured and so may die.

Those who have advocated euthanasia have always to distinguish it from both suicide and murder. Before going any further, it is important to try to set out clearly precisely what is meant by euthanasia in the present debate.

Robin Gill has identified six basic positions which may be described as euthanasia and which offer a good way into the complexities of the act and the ethical

perspectives.[10] Gill's six situations are constructed around the two variables of the doctor's intention and what the patient may be known to want. In these situations, the death of the patient may be occasioned by:

(a) direct treatment by doctor of willing patient

(b) direct treatment by doctor of non-willing patient

(c) indirect effects of treatment by doctor of willing patient

(d) indirect effects of treatment by doctor of non-willing patient

(e) non-treatment by doctor of willing patient

(f) non-treatment by doctor of non-willing patient

An important distinction is to be made between the un-willing and the non-willing patient. Murder might well be the consequence of whatever course of action was pursued if the patient may accurately be described as or is known to be un-willing. A non-willing patient is taken to be one who, for whatever reason, is not capable of making a decision. Given this distinction, then there are three main categories determined by the doctor's actions. In the first, (a) and (b), the patient dies directly as a result of the doctor's action. In the second, (c) and (d), the patient dies

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[10] ***A Textbook of Christian Ethics***, pp. 420-1.

possibly as a result of the doctor's action, but death was not the primary intention of the doctor. He may have administered a particular course of treatment for a specific ailment and yet would have known that in doing so, that is in treating a presenting problem or symptom, the patient would die as a result. Here the principle of double effect is evident. The third category, (e) and (f), involves the doctor withholding treatment that would prolong a life deemed by the doctor and/or the patient to be no longer worth living. The withdrawal, or withholding of such treatment results in the early death of the patient.

Gill's six situations give practical illustration to three of the four main ethical areas of discussion connected with euthanasia and identified by Sissela Bok.[11] The first of these is obviously the tension between involuntary and voluntary euthanasia: whether or not the patient can indicate his will in the matter of choosing death and to what extent free will might genuinely be operative in this situation. The second area is that of direct and indirect treatment by the doctor. This area is sometimes confused in discussion with the third, that of omission over against that of

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[11] 'Death and Dying: Euthanasia and Sustaining Life, II Ethical Views', ***Encyclopedia of Bioethics***, pp. 268-277.

commission, when discussion focuses on euthanasia as either 'active' or 'passive'. Passive euthanasia is deemed to be the result of indirect treatment or the omission of treatment. Active euthanasia is the result of direct acts of commission.

The fourth area identified by Bok is that of 'ordinary' versus 'extra-ordinary' means of care or treatment. Gill does not refer directly to this area and seems to address his attention to implicitly ordinary patterns of treatment. It may be that Gill intends the issue of extra-ordinary treatment to be considered under his last two categories, those referring to non-treatment, on the grounds that the debate about the use of extra-ordinary means usually focuses on the withdrawal of of such means.

This description of the aspects of euthanasia, along with the brief historical outline, clarifies some of the strands of thinking and the influences that are operating within the four cases studies in ethical confusion set out below.

ii the case of Dr Nigel Cox[12]

Lillian Boyes was a seventy year old widow who suffered from an unusually severe case of rheumatoid arthritis. Her medical condition close to her death was described by a specialist:

> By the end, Mrs Boyes weighed less than five stone, her arms the thickness of two fingers. Tissue deterioration meant she screamed when touched: 'Like a dog,' said one nurse. She had septicaemia and her stomach was bleeding. She had liver problems, leading to bleeding around her body.
>
> Mrs Boyes had gangrene problems, her heart was calcified, and her lungs were malfunctioning. She had several crushed fractures of the lumbar spine. Professor Blake said a sacral sore penetrated to the underlying bone, and into her rectum so faeces were being passed along it.

Dr Cox had treated Mrs Boyes for thirteen years and had promised her that he would save her from severe pain at the end. He had been administering heroin as a pain killer. Eventually it lost its effect and he resolved to keep his promise by injecting his patient with twice

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[12] For the background to this case see: ***The Guardian***, 21 September and 18 November 1992 and Ronald Dworkin, ***Life's Dominion*** (1993), pp. 184-188. It is from these sources that the following account and quotations are drawn. Specific medical comment can be found in: Richard Smith, 'Euthanasia: time for a royal commission', ***British Medical Journal*** [hereafter: ***BMJ***], 305 (26 September 1992), pp. 728-9; Clare Dyer, 'Rheumatologist convicted of attempted murder', ***BMJ***, 305 (26 September 1992) p. 731; 'GMC tempers justice with mercy in Cox case', ***BMJ***, 305 (28 November 1992), p. 1311.

the lethal dose of undiluted potassium chloride. Mrs Boyes died within five minutes of that injection on 16 August 1991. Dr Cox entered the injection in her medical notes. A nurse, 'a devout Catholic from Ireland', wondered what to do about what she had read in the notes for five days before informing the medical authorities. Then the legal process began. Dr Cox was eventually found guilty of attempted murder and the judge sentenced him to a year in jail, but suspended the sentence. The General Medical Council who reviewed Dr Cox's case a couple of months after the trial verdict did not strike him from the medical register, although they did affirm that euthanasia was wrong: 'The deliberate taking of human life is against the law and we do not believe that law should be changed.' Wessex Regional Health Authority, the doctor's employer, then considered the case and agreed that he could return to his work on condition that he accepted supervision by a senior medical colleague.

At no point in the proceedings was there any suggestion that Dr Cox had acted other than from altruistic motives. The concern was solely with whether or not the law had been broken. Throughout the case it was clear that Dr Cox had enjoyed a close professional relationship with his patient, Mrs Boyes. Her sons openly supported Dr Cox's action on their mother's

behalf. Dr Cox is one of only a very few medical practitioners who have been tried for helping patients to die and is the only one in this country to have been found guilty.[13] However, as soon as Dr Cox was found guilty the ambiguity in the attitudes of those required to condemn him emerged. Found guilty of attempted murder (the corpse had been cremated so there was not evidence sufficient to prove murder), he was given a suspended sentence. The General Medical Council condemned his action: 'It is wholly outside [the doctor's] duty to shorten life in order to relieve suffering.' However they stopped short of barring Dr Cox from continuing to practise medicine. The employing health authority required Dr Cox to accept supervision of his work, but otherwise reinstated him from his months of suspension, during which he had been on full pay.

In each response there was a double message. What was done was not acceptable, but the punishments were so

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[13] Although unusual in his trial, Dr Cox is not alone in his action. A recent survey among NHS doctors revealed that more than half of those who responded to the questionnaire had been asked to hasten a death and nearly one third of these had complied with the request. Nearly half the number of respondents would consider taking steps to effect the death of a patient if such action was not illegal. See: B. J. Ward & P. A. Tate, 'Attitudes among NHS doctors to requests for euthanasia', ***BMJ***, 308 (21 May 1994), pp. 1332-1334.

light in relation to the crime of which he was found guilty as to raise a question over the issue of how the offence was regarded. At this point, a way forward is to turn to the metaphor of the round table dialogue.

In moving to the round table dialogue here I am not suggesting that it is the only possible way of disentangling the confusion in the responses to Dr Cox's actions. I want to see if the model of dialogue can help in the task of analysing what is being said through the response to this case. The ambiguity in the condemnation of his action noticed above was accompanied at each stage of the three-fold censure with effective, if restricted, permission to go on practising medicine. Whatever messages might be communicated by the treatment of Dr Cox, one of the strongest signals given is the confused attitude to what he did.

The local health authority was required to act against him once a nurse reported that a lethal dose of a drug (potassium chloride, which could have no effect other than to kill the patient) had been administered. The situation might have been very different had the drug been one which had pain killing properties. Then, although the outcome for the patient might have been the same, the intention of the physician could be

understood to be the relief of pain and no prosecution would have followed. Death would be an unintended if foreseen consequence of the administration of the drug.

As it was the action of Dr Cox was understood legally in only one light: attempted murder. Potassium chloride could do nothing other than kill Mrs Boyes and that accounts for the formal condemnations. If, however, it is attempted murder that is the issue, why are the responses so ambivalent? At least part of the reason stems from the fact that, although the only possible legal interpretation of events was attempted murder of a patient by her physician, it was commonly accepted that Dr Cox was acting out of compassion for Mrs Boyes in her suffering and honouring a commitment to relieve her suffering as she died. The ambivalence stems from the fact that the legally necessary interpretation is not the accurate one because it does not accord with the wider facts in the case, in particular it does not accord with the compassion felt by Dr Cox for his patient of many years.

A further, more speculative analysis of this case, suggests another reading of the ambivalent condemnation of Dr Cox. Had he used a drug that had a known palliative effect the case would not have arisen. Is it too far fetched to suggest that there is an element

in his prosecution which condemns him for not having used a drug which would have enabled him to achieve the same end but without drawing attention to the practice?

In this first attempt at understanding ethical confusion in the light of a model of dialogue, there has been little conversation to analyse. Rather the focus of attention has been on the messages conveyed and the possible reasons for them, given the known facts of the case as reported. The importance of influences at the table which are not declared is an significant aspect of this model of ethical reflection. In this case I want to point to the rôle of the Principle of Double Effect which influenced those who considered this case. There is not space to explore this issue further here but the following chapter will be devoted to a full consideration of the Principle of Double Effect which still exercises enormous influence especially in medical responses to euthanasia.

iii the case of Tony Bland[14]

The second case has its origins in the chaos of the Hillsborough soccer stadium in Sheffield in 1989, when a large number of the crowd were crushed against one of the perimeter fences. Tony Bland was unconscious from the day of the disaster, when his lungs were crushed, until his eventual death after a lengthy legal process some four years later. As a result of the constriction of his lungs Tony Bland's brain was denied oxygen and he went into what is known as a 'persistent vegetative state'(PVS).[15] Dr James Howe, who cared for Tony Bland, had been warned by the coroner who supervised the inquests after the Hillsborough disaster that if he withdrew treatment he might be liable to a charge of murder. Therefore, having cared for the patient long

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[14]This account is drawn from ***The Guardian***, 20 November 1992 and 5 February 1993. Further specific medical comment may be found in: Clare Dyer, 'High Court to rule on right to die case', ***BMJ***, 305 (26 September 1992), p. 732; 'BMA examines the PVS', ***BMJ***, 305 (10 October 1992), pp. 853-4; 'High Court rules doctors can stop feeding Tony Bland', ***BMJ***, 305 (28 November 1992), p. 1312; Bryan Jennett, 'Letting vegetative patients die: ethical and lawful and brings Britain into line', ***BMJ***, 305 (28 November 1992), pp. 1305-6.

[15]The ***Hastings Centre Report***, February/March 1988, includes several articles on the medical and ethical aspects of the problems associated with PVS: Ronald E. Crawford, 'The PVS: the medical reality (getting the facts straight)', pp. 27-32; Baruch A. Brody, 'Ethical Questions raised by the PVS Patient', pp. 33-37; Daniel Wikler, 'Not Dead, Not Dying? ethical categories and the PVS', pp. 41-47.

enough to establish that the diagnosis of PVS was correct and with the support of the patient's parents, the case came before the courts. In the words of the High Court judge who heard the application by Airedale NHS Trust to stop the nutrition-hydration treatment of Tony Bland, his condition was clear:

> He has no feeling, no awareness, nor can he experience anything relating to his surroundings. To his parents and family he is 'dead'. His spirit has left him and all that remains is the shell of his body.

On the basis of this state of things the judge, Sir Stephen Brown, went on to support the decision of Dr James Howe to discontinue feeding in the following terms:

> I am satisfied that there is no reasonable possibility of Anthony Bland ever emerging from his existing persistent vegetative state to a cognitive sapient state. I am satisfied that there is no therapeutic, medical or other benefit to Anthony Bland in continuing to maintain his ventilation, nutrition and hydration by artificial means.

Sir Stephen's ruling gave doctors the permission they wanted to withdraw the nutrition-hydration treatment and to wait for death. However no action was taken at the end of this trial because the Official Solicitor representing Tony Bland's interests, David Venables, was given leave to appeal against the decision. His opposition to the removal of treatment at each stage of the legal process was to ensure that all the arguments

were brought before a court. The case then went before the Court of Appeal, who found in favour of the original judgement to allow death by withdrawal of the treatment. The case then went on to the House of Lords, in February 1993 , where five Law Lords ruled that it would be lawful for the doctors treating Tony Bland to remove the nutrition-hydration treatment and thus to allow him to die. Although the final legal decision was unanimous it was accompanied by a clear request that Parliament should draw up a new set of legislation to take account of the relevant developments in medical technology and understanding that would allow such cases in future to be treated independently of the criminal law and that some guidelines be provided for future cases.[16]

In response to this request, an all party select committee on medical ethics of the House of Lords reported in February 1994. The fourteen members, chaired by Lord Walton, a former member of the General Medical Council, and including the Archbishop of York and Baroness Warnock, unanimously rejected calls which sought the legalisation of euthanasia. The grounds given were simply that to legalise euthanasia would expose the elderly and chronic sick to pressure from

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[16]House of Lords, ***Report of the Select Committee on Medical Ethics*** (1994), volume 1, p. 8.

physicians working within very limited health care resources or relatives constrained by different pressures which in turn might influence individuals to request an assisted death. Responding in particular to the Bland case, the committee indicated that they thought it should never have come before the courts.[17] The small amount of anti-biotics included in the nutrition-hydration treatment could have been withdrawn and death would have followed in a few days. The committee called on the health care professions to furnish guidelines that both identified clearly the condition referred to as PVS and provide for the appropriate treatment for such patients.[18]

As in the case of Dr Cox, Tony Bland's case raises important issues when considering euthanasia. The first and most obvious concern is that Tony Bland was not in any position to make his views known, nor had he left any indication of what he would have wanted for himself had he fallen into such a predicament. It was left up to his parents and Dr Howe to consider what was in his best interests given his condition. A second issue is that of the extent to which nutrition-

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[17] House of Lords, ***Report of the Select Committee on Medical Ethics***, volume 1, p. 52.

[18] Ibid., p. 53. In doing this the committee effectively returned to the medical profession precisely the issue they had been asked to consider.

hydration treatment can be considered 'treatment' in the normal sense of that term. If it is only food and water that are being supplied, albeit in the unusual way of through nasogastric tubes, then to what extent can that be thought of as something that can be dispensed with as 'treatment'? Certainly if as is usual antibiotics are being administered at the same time to protect against infection, then that may be described as treatment.

The third issue arising from the lengthy legal and political consideration of Tony Bland's case and its effect is similar to that detected in the case of Dr Cox: an ambivalence among those called upon to consider the issues. In both cases the ambivalence is connected with each of two different principles that lie behind the cases and are part of the ethical consideration of euthanasia. In Dr Cox's case the issue behind the public discussions is that of the Principle of Double Effect, and in the case of Tony Bland the principle at issue is that of the distinction between ordinary and extra-ordinary means of treatment. These points will be discussed in different ways below.

In considering the case of Tony Bland it is easy to see how it might be represented in terms of a round table discussion. In contrast to the case of Dr Cox, there

are several identifiable participants with distinct motives and possible as well as declared interests in the outcome. Identifying them here is part of the process of seeing who is at the table. Bland himself could not participate because of his condition. He would be represented by various parties: his parents; his physician, Dr Jim Howe; Airedale NHS Trust; and by the Official Solicitor. We know that the Airedale NHS Trust brought the action to clarify the situation for Dr Howe, who had been warned that if he removed the feeding tubes he might be liable for criminal charges. Dr Howe had the support of the patients's parents. Each of these parties might however have other considerations operating as part of their motives in caring for Bland and in advocating, or opposing, the withdrawal of the nasogastric feeding tube. The parents may be worn down by the care they have continued to give their son in his PVS state and no longer wish to have the burden of thinking him alive when he is to all intents and purposes dead. They may be motivated by their concern for themselves, rather than making the best decision for their son. The physician may be concerned for the health of the parents and the extent to which he thinks they can reasonably be expected to care for their son. He may too be concerned about the expenditure of limited health care resources on a patient with no obvious

chance of recovery. In this he may find himself supported by the Airedale NHS Trust who could be concerned to limit expenditure where possible. The Official Solicitor is appointed to represent Bland in the legal proceedings that follow from the Trust's decision to support the family and the physician in their application for permission to remove the naso-gastric tube, thereby allowing death to take place. It is his concern to argue for the patient who is incapable of making his opinion of the proceedings known. The Official solicitor should be motivated by the best interests of the patient. However, he might also be motivated by a concern to see that this particular case does not turn into a test case which as a result of a judgement in favour of withdrawing the tubes, entitles other groups of appropriately interested parties to successfully petition for the withdrawal of life support systems.

It should be stressed that although the participants in the scenario so far described are drawn from the actual case as reported, the motives attributed to them in this and following discussions of the case are hypothetical. They are however developed from observing and reflecting on similar cases and arguments. That said, we may now go a stage further and identify ideas and ethical stances behind the

positions already outlined.

The Official Solicitor, in challenging the action to remove the feeding tubes, sought to affirm the patient's right to life and to treatment to stay alive in the absence of any instructions from the patient to the contrary. That argument follows from the point of view that life is valuable and should be sustained whenever possible by reasonable means. The Trust, supporting the physician and the patient's parents, wanted to remove the feeding tubes and allow death to follow. The major ethical principle at the centre of this case is that of whether or not the feeding tubes and other basic nursing care necessary to sustain Tony Bland might be described as 'extra-ordinary' treatment. With the development of medical technology in the second half of this century it became clear that people could be kept alive by machinery when they would have no hope of recovery or improvement and would otherwise be dead.

This led to the development of the idea that in certain circumstances physicians, while always obliged to use ordinary means of treatment to sustain life, were not obliged to use what were described as 'extra-ordinary' means. Thus, the case of Tony Bland similarly has behind it a moral principle, like that of the

Principle of Double Effect, the understanding of which is central to untangling the difficulties of the case.[19]

It is possible to consider both the Cox and Bland cases directly, in terms of the six principles of dialogue. In both cases there can be detected a lack of trust. In Dr Cox's case the hospital authorities could not assume that he had acted out of care for his patient. The law required him to be charged with attempted murder. The law is also a fixed point in the Bland case when Dr Howe is warned by the coroner that he may open himself to criminal charges if he withdraws the nutrition-hydration treatment. In both cases there is a lack of trust by the legal system of the motivation of the two physicians and in both cases this contributed to the way in which each situation developed.

The positions from which people are operating in both cases are quite clear and based on obviously examinable rational premises. Difficulties emerged when the legal perspective was invoked. This happened in the Cox case when the nurse informed the hospital administrators of

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[19]For a brief description of this principle and an introductory bibliography, see: Warren T. Reich's article, 'Prolongation of Life', ***A New Dictionary of Christian Ethics***, pp. 351-352.

the drug which had been administered. The coroner's warning to Dr Howe is the equivalent point in the Bland case. This made it very difficult for either case to develop along lines which bear ready comparison with an open dialogue. Thus, although there were clear and rational positions they were not capable of development through dialogue because of the constraints imposed by the fixed legal perspective.

The ambivalent responses to Dr Cox's action could be taken as an indication that there may have been a limited degree of mutual learning. That the verdicts were guilty, but the penalties nominal, could be taken as a recognition that a different understanding of his action emerged through his trial than that held when he was charged. The same system which charged him with and found him guilty of attempted murder is in this case capable of expressing an opinion in contradiction of the charge through the relatively lenient penalty imposed. In the Bland case there appears to be no mutual learning. This is most obviously indicated by the fact that the House of Lords' *Report* did not provide the guidelines requested and indicated that the professions involved should develop a code of practice to deal with such situations. That same committee had been established to review the need for and possibly provide precisely those guidelines.

The fifth principle of dialogue is that of attending to the context. In euthanasia this is always two-fold: the case under consideration and then the wider sphere within which any decision taken in the individual case must be reviewed. The details of the immediate context of each decision have been set out clearly above and were open for public scrutiny in each case. The wider issue of the context is the same in almost every case of euthanasia. It is the concern that if a certain action is condoned in this situation, what are the wider social implications? If a physician is able to administer poison to a patient, albeit for understandable reasons, without any condemnation, what are the wider consequences? If a physician is able to withdraw treatment or simply cease caring for a patient, albeit on compassionate grounds, what might this do for the general public's confidence in the medical profession?

A concern to acknowledge the relative nature of conclusions is the sixth principle of dialogue and that connects directly with the moral prohibition on killing, which is always present in debates about euthanasia. Two distinct moral principles have been applied to cases of euthanasia which permit, in specific circumstances, actions which might otherwise be considered as contradicting the prohibition on

killing. These are the Principle of Double Effect and that of ordinary versus extra-ordinary means of treatment, both mentioned above in relation to each case. In the Bland case the principle of extra-ordinary means would apply directly. In the Cox case I suggested that the notion of the Principle of Double Effect lay behind the public consideration of the case. Dr Cox had offended not so much by what he did but the manner in which he did it: he administered a drug which could do nothing other than kill Mrs Boyes. Both of these principles demonstrate that even in the face of a moral absolute such as the prohibition on killing there are ways in which that absolute is made relative by the particular context. This is true even in cases such as these two where that relativity is not acknowledged by the legal system.

These two cases have been practical examples of the ethical complexity of euthanasia. The two very different examples which follow further illustrate some of the difficulties in both debating euthanasia and in seeking a rational solution to the debate.

iv Ludovic Kennedy's ***Consider the End***

The broadcaster and writer Ludovic Kennedy is well known as an advocate of voluntary euthanasia.[20] On 2 September 1993, Channel Four broadcast a programme in their Witness series in which he presented his views on voluntary euthanasia. The programme was a personal plea to understand euthanasia as an attractive and reasonable option. It was perfectly clear throughout that it reflected Kennedy's own position. Points of view opposed to euthanasia were discussed in interviews. It is instructive to look briefly at some of the issues raised and especially at the manner in which some of the objections to Kennedy's point of view were presented.

The programme had three main sections. The first introduced the topic of euthanasia and set the scene by referring to several cases where euthanasia either was administered illegally or thought by those involved to be the most appropriate response to the suffering encountered but which was not relieved until death. Kennedy mentions his own mother's suffering before death and his wish for euthanasia for her, which he did not feel able to meet then. In the next section

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[20] He has published a plea for euthanasia entitled ***Euthanasia: the good death*** (1990).

Kennedy approached representatives of three organizations which reject euthanasia: the Roman Catholic Church, the Hospice movement and the British Medical Association. Having listened to their objections and engaged with their representatives up to a point, Kennedy then looked at the practice in Holland with a view to showing how what he is arguing for might be achieved.[21] He ended with a personal plea that we should consider the proposal he and others make as one worth adopting. Without having mentioned the idea earlier in the programme, Kennedy finishes by talking about the need for a change of our attitude towards death.

How does Kennedy present his argument? That will be clear already: he is aiming at persuading viewers of his point of view. This is perfectly legitimate, especially since the series within which the programme

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[21] In Holland euthanasia has been practised openly by physicians for several years. It is not strictly true to say that euthanasia is legal there but rather that if physicians follow certain strict guidelines they will be immune from prosecution. A review of the Dutch experience to 1991 is given in: Paul J. van der Maas, et al., 'Euthanasia and other medical decisions concerning the end of life', ***The Lancet***, 338 (14 September 1991), pp. 669-674. Discussion of recent changes in the Dutch law regarding euthanasia and opposition from the Roman Catholic Church may be found in: Tony Sheldon, 'Euthanasia law does not end debate in the Netherlands', ***BMJ***, 307 (11 December 1993), pp. 1511-2.

was broadcast aimed at providing personal testimonies about particular issues. The programme was not and did not pretend to be a neutral exploration of the topic. Also it obviously did not present a dialogue in the sense of an open discussion. It is however legitimate to consider Kennedy's argument in terms of the principles of dialogue because his programme was a contribution to the present debate with the idea of persuading others to review their own points of view and ultimately to adopt his. He is mostly fair to his opponents, excepting the Roman Catholics, even when he represents their views in opposition to his own. However, it is not always clear that he listens to what they say.

Kennedy's aim is to free those who are restricted and thus oppressed by the present British legal attitude to euthanasia. This, which requires cases such as those of Dr Cox to be tried under the criminal law, he sees as an expression of an outdated view which is still actively held by a minority of the population. His sense of frustration with the status quo goes some way to explaining his crusading zeal. In that, he is entitled to put his point vigorously but he also has a responsibility to present the arguments of those opposed to him as clearly and as fairly as possible. This he does not do in his description of the position

of the Roman Catholic Church.[22] Furthermore, his apparent confusion in his discussion with Dr Fleur Fisher of the British Medical Association may have been a way of expressing indirectly his negative opinion of the position she was representing on behalf of the Association.[23] In the case of both of these groups representing ideas opposed to euthanasia, Kennedy displays an apparent or deliberate inability to follow or sympathise with their arguments: to him they appear to be either a closed book or the legacy of an outdated view of things.

The programme does not really succeed in persuading because it is does not take account of the opinions of the viewer. Kennedy has overstated his case in

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[22]This passage from the broadcaster's transcript of ***Consider the End*** (p. 9), where Kennedy describes part of the process of covert fund-raising during the Roman Catholic campaign in California to oppose the legalisation of euthanasia, gives sufficient flavour:

> So as to disguise Roman Catholic funding, congregations, when not practising their arcane rites, were urged to send their contributions individually to the NO ON 161 headquarters.

Kennedy's emotive description of the activity of the Catholic Church in the Californian campaign is briefly substantiated in another, relatively neutral, account provided by Ronald Dworkin in ***Life's Dominion***, p.4. See also: Reginald Rhein, 'California says no to euthanasia', ***BMJ***, 305 (14 November 1992), p. 1175.

[23]***Consider the End***, transcript, pp. 14-16.

assuming something that many still need persuading of. MacIntyre talked of a 'conceptual incommensurability'[24] in modern moral debate. That is certainly evident in considerations of euthanasia, and between positions identified by Kennedy. Kennedy's treatment however does not attempt to explore any of the underlying reasons for the conflicts and indeed actually exacerbates the problem by assuming that his point of view will win over those who are still opposed. This is hinted at towards the end of the programme where Kennedy assembles some medical and lay opinion to suggest that euthanasia is an idea whose time has come:

> Dr Admiraal: 'I think that this movement is world wide so I expect that in 10, 20, 30 years in Western Europe, Europe and in America, euthanasia will be accepted.'
>
> Derek Humphrey: 'Certainly before the end of the century, I think this will be a done thing....A few years ago, you couldn't find a single Member of Parliament in Britain who would say publicly that they believed in this. Now I believe that something like 100 Members of Parliament, if not more, have said openly that they would back legislation on this.'[25]

There may be a change in the attitude of the public towards euthanasia. That claim would explain the double messages in the legal and medical consideration of Dr Cox's treatment of Lillian Boyes. If however it is only a swing of opinion rather than an ethical re-

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[24] ***After Virtue***, p. 8.
[25] ***Consider the End***, transcript, pp. 20-21.

consideration, then there may be limitations in the new status quo which mirror those of the old. All that may have happened is that one idea is in favour while the old perspective is out of favour: for us to have a new consensus, something more is needed. Indeed, in listening to Kennedy's arguments in his programme it is not clear how fully he has attempted to grasp the full point of those positions he challenges. His consideration of the role of the Roman Catholic Church and his discussions with Dr Fleur Fisher of the British Medical Association are both indications of his refusal to give sufficient attention to the weight of arguments against euthanasia. Kennedy needs to take his opposition more seriously if he is to engage with it in such a way as to make progress with his cause.

Reviewing Kennedy's approach briefly in terms of the six principles of dialogue draws together several strands of this discussion. The obvious lack of respect that he has for the traditional Roman Catholic approach to euthanasia would make it necessary for him to develop a sense of trust with them as part of the task of settling to any round table dialogue. Since he appears not to listen very closely to what others are saying and is not obviously committed to an open approach in considering the issue means that it is difficult for him to benefit from any process of mutual

learning. Although Kennedy is good at seeing both the immediate and wider contexts of the discussion of euthanasia, through his use of examples drawn from actual cases, his lack of any sustained presentation or examination of the rational basis for positions held means that his ability to use his awareness of the context of ideas is considerably limited. This same criticism applies also to his analysis of the relative nature of conclusions in the euthanasia debate. This is an area where his argument might have been strengthened had he attended more closely to the ideas and influences behind the positions he opposes.

Kennedy's plea for euthanasia is addressed to the present dilemma over euthanasia in Britain. It did not persuade because it was not sufficiently attentive to the other points of view in the debate.

*v Ronald Dworkin's **Life's Dominion***

As with Kennedy's ***Consider the End***, Dworkin, a professor of law in both Oxford and New York, is presenting an appeal to his readers to view the issues about which he is concerned in a particular way.[26] As Kennedy used a television programme, Dworkin uses a

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[26] ***Life's Dominion: an argument about abortion and euthanasia*** (1993).

means familiar to him and presents his argument in a persuasive but more formally academic style. Dworkin addresses the issue of abortion against the contemporary pressure growing to reverse the US Supreme Court's decision in the case *Roe v. Wade* (1973), which effectively legalised abortion in the United States. However, because he sees parallels in the arguments, he also addresses the issue of euthanasia and the argument he develops in relation to abortion is applied by him in the debate about euthanasia. Not only does Dworkin have things to say about euthanasia, but one of his primary concerns is to find common ground between the different sides of the argument. Furthermore, he is actively involved in promoting his views in the consideration of euthanasia in Britain and these views were considered by the members of the recent House of Lords' committee appointed to consider the ethical, legal and clinical implications of euthanasia.[27] These factors mean that Dworkin's work is a valuable further source through which to examine the euthanasia debate.

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[27] ***Report of the Select Committee on Medical Ethics***, volume 1, p. 48:

> We gave much thought too to Professor Dworkin's opinion that, for those without religious belief, the individual is best able to decide what manner of death is fitting to the life which has been lived.

Dworkin identifies three contexts within which we might consider the issue of euthanasia.[28] First, the plight of the *conscious and competent* individual who can make a variety of arrangements for their own death. This group subdivides into two further groups. Those who can plan their death and act on those plans if and when the need arises. Suicide is no longer a crime in most western countries and these individuals may use a variety of means to determine their end. The second sub-group is made up of those individuals who are *conscious and competent* in Dworkin's sense of being aware of their predicament and able to decide that they want to end it, yet unable to take the necessary action. These people require the assistance of another. It is still a serious crime in most countries to assist a suicide. Dr Cox was charged with attempted murder for precisely this in his care of Lillian Boyes. Dworkin's second category is that of the *unconscious* individual. Tony Bland is an example of someone who left no clear instructions on how they wished to be cared for in the event of them falling into a condition such as the persistent vegetative state. *Conscious but incompetent* is Dworkin's third category, the main example of which is the dreadful plight of those predominantly elderly people who fall victim to one of

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[28] ***Life's Dominion***, pp. 183-190.

the various forms of dementia. For these people, once the disease has developed, they have no means of either ending their lives themselves or of persuading others to help them. In this instance Dworkin asks how reasonable it might be for people to leave directives requesting that they be killed perhaps several years later if they develop such a disease.

These three categories lead Dworkin to identify three consequent moral issues which determine our concern in thinking of euthanasia: autonomy, best interests and sanctity. It is the last of these which provides the grounds for his ideas of shared concern in the debates about euthanasia. He explains the idea of the sanctity of life:

> A sovereign commitment to the sanctity of life dominates our concerns about life's other edge, too: it is the fulcrum of our worries and puzzles about euthanasia. Most people's interests are not exhausted by a desire for pleasure or enjoyment, but include, as crucial to their sense of self, a desire to make a success of living, to make something valuable of their own lives. Though very few would put it in this dramatic way, most people treat living as a sacred responsibility, and this responsibility seems most intense when they contemplate death, their own or someone else's. People who want an early, peaceful death for themselves or their relatives are not rejecting or denigrating the sanctity of life; on the contrary, they believe that a quicker death shows more respect for life than a protracted one. Once again both sides in the debate about euthanasia share a concern for life's sanctity; they are united by that value, and disagree only

about how best to interpret and respect it.[29]

Dworkin is concerned with the sanctity of life from a secular point of view and its possible use as a bridge between conflicting views in the euthanasia debate. In this definition the sacredness seems to lie in the sense of value that is attributed to those cumulative decisions which people make when trying to orientate their lives according to a sense of value. However reasonable this may sound, it lacks substance when not defined or explained in terms of something beyond those values chosen by the individual themselves. This view contrasts with religious understandings of life as sacred which tend to follow from the idea of the given nature of life (as represented in the Judeo-Christian traditions by the accounts of the creation of humankind in the opening chapters of Genesis). Further discussion of this theme might show that there is less in common between the two views of the sacred than initially supposed.

Another key concept in Dworkin's discussion of euthanasia is the idea of death being in keeping with the values that have been important or determinative for the individual in life. Here Dworkin is looking for meaning in the experience of death that can help in

[29]Ibid., p. 238.

determining what might constitute an appropriate death for a particular individual. The way or form of life lived may be taken to influence the idea of an appropriate death. Death takes whatever meaning it is to have from the life of the person dying. It is a retrospective view, formed from Dworkin's idea that death 'is the end of everything'.[30] This is in contrast again with the religious and specifically Christian point of view that death may be understood as a transition to new life. At this point, while not doing justice to all of Dworkin's arguments, it is clear that his suggestion for a reconsideration of euthanasia is not as obviously open to acceptance by those who would challenge his views of the themes he has identified as central: sanctity of life and attitudes to death are key themes in the euthanasia debate.

vi euthanasia and the principles of dialogue

Returning to Kennedy's argument, it was not clear why he had some difficulty understanding ideas which challenged his own enthusiasm for euthanasia. We may find a key to this problem in the theme which provides a connection between his work and that of Dworkin: our

[30]Ibid., pp. 199 and 213.

attitude to death.

In terms of the round table dialogue, Dworkin is immediately off to a good start because of his clear attempt to find common ground between the opposing sides in the abortion and euthanasia debates. He assumes a degree of trust between participants in the dialogue, which is expressed in this gesture of mutual respect. As outlined above, he identifies the notion of the sanctity of life as common to both sides in the debate. He then offers an account of how that idea of sanctity might be defined, which is however weak in its given nature, precisely that area traditionally important to religious understandings of the idea. In Dworkin's defence, it could be argued that his point of view is taking seriously the openness with which religious points of view are sometimes held. He does this in positing so general or inclusive a view of the notion of the sanctity of life. In this one sense, Kennedy's approach, though lacking tact, does show more than a little realism in anticipating a negative response. Kennedy's wider sense of the context of the debate helped him in this. Kennedy is also honest in expressing his frustration with the Roman Catholic Church. Dworkin places a very high value on the role of the individual's conscience which explains some of his understanding of the sanctity of life. However,

unlike Kennedy he does not attend sufficiently to the wider context where there are constraints upon the individual's wishes in order to protect those who might be at risk from the legalisation of euthanasia.

In round table dialogue, the notion of discerning and establishing common ground is crucial. For it to provide a sufficiently substantial base for furthering the dialogue it must involve more than the use of a term common to both parties. The actual meanings behind the phrase must coincide sufficiently to allow some form of substantial agreement. Secondary meanings or shades of meaning may differ without causing problems in understanding and indeed may lead to fruitful further discussion about how the original ideas might be developed. So, although Dworkin would undoubtedly get further in the initial phases of discussion than Kennedy, his views on the sanctity of life are an area of his approach that would require further attention. That dialogue might still be developed, even around his assumptions in this area, is clear from Dworkin's open attitude. His approach is implicitly based on the ideas of mutual learning and mutual clarification, both of which in his work are part of a commitment to openness in the dialogue. Although Dworkin is clear about his own lack of a religious perspective, he has adopted a way of offering

his point of view so that even if participants cannot go along with him in the central idea of his work, it is still possible to assume that he is open to discussion about how the debate might be taken further. Dworkin's primary concern is to find a solution to the ethical disagreement. When that is the priority, it is possible for the search for common ground to be re-negotiated and approached afresh. In doing that it is reasonable to begin with threads and themes from the present discussion. An important theme in the development of Dworkin's ideas about the sanctity of life is that of our attitudes to our death which was also a concern for Kennedy. This could be explored further than space allows here.

The four examples above illustrate different forms of confusion that can result from the consideration of euthanasia within a pluralist society. How has this extended discussion helped our understanding of the six principles of dialogue that were proposed as a contribution to ethical reflection? These principles have been applied in two different areas. In the two case studies they provided a form of analysis that enabled us to detect where some of the confusion in each case lay and why it had been difficult to address directly. In short, the difficulties arose from poor communication. Four of the principles, mutual respect,

clarification and learning along with the necessary commitment to an open understanding of the process, were hindered by the restrictions imposed through dealing with the legal system. The notion of attending to the context was useful in both cases and there was no difficulty in analysing the moral principles involved directly or implicitly in terms of the idea of the relative nature of the conclusions.

In the second area of application the connections were much more direct because it was possible to address each author's argument as a contribution to the public debate. In both instances the principles of dialogue provided useful criteria to assess each contribution in terms of that debate. Kennedy's openly enthusiastic approach, while honest about his own views, did not allow for dialogue because it seemed to assume a correct answer which in turn meant that other opinions were wrong. Dworkin was much more sensitive in his approach and he presented his suggestions in a manner very similar to that outlined by the principles of dialogue. Even where he did not appear to have taken sufficient account of the depth of tradition and feeling behind some of the positions he wished to engage with, such as the notion of the sanctity of life and attitudes to death, he made his proposals in such a way that implied a commitment to developing his ideas

in dialogue.

The emphasis in this chapter has been on analysis. What has not been done is to show how the principles of dialogue might enable a Christian ethical approach to engage directly and constructively with the four presentations offered here. This will be part of the next chapter where I will show something of the influence of two themes identified here, attitudes to death and especially the Principle of Double Effect. However, the idea of the principles of dialogue directly helping the Christian engagement in the dialogue will form the basis of the two chapters considering ethical aspects of pornography.

Chapter 6

The Principle of Double Effect

> But of course intention was everything in the question of right and wrong. (George Eliot)[1]

The six principles of dialogue are best suited to critical analysis of positions which contribute to a moral debate or which may fairly be construed to attempt this. In seeking to make connections between them and a defined moral principle there is a danger of distorting either the principles or the subject of the enquiry. Bearing this in mind, I will attempt to further the discussion of euthanasia through the study of an influential moral principle which has played an important part in the present debate.

In the last chapter I suggested that Dr Cox would almost certainly not have experienced the same difficulties had he administered a pain-killing drug. The reason for this is that, in the absence of any statement from Dr Cox to the contrary, he would be assumed to have intended to relieve Mrs Boyes of her pain. Her death would be considered an unintended, if foreseeable, consequence of his action. I further

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[1] ***Middlemarch***, 1871-72, edited by David Campbell (1991), i, pp. 246-7.

suggested that to understand better the influences operating, albeit implicitly, in the public consideration of the Cox case it is instructive to look in detail at the idea of the Principle of Double Effect. This is idea provides an explanation of the distinction drawn above in discerning acceptable patterns of treatment and their consequences.

The Principle of Double Effect (PDE) is an ethical principle mainly developed within Roman Catholic moral theology. It commanded more general respect for a time but is now seriously under question even in the areas of medical ethics where it has been used to provide valuable moral distinctions. Any reassessment of the traditional Christian position on euthanasia would have to take into account the arguments of the PDE. Euthanasia is one of two central areas of debate which have highlighted some of the ambiguity and confusion in application of the PDE. Abortion is the other area but that will not be discussed here except in so far as arguments from the debate about abortion shed light on the issues involved in euthanasia.

i the principle

The PDE has four essential or integral conditions, each of which must be met for the principle to be effective and consequently for the action under discussion to be considered moral. Richard A. McCormick described the conditions as follows:

1. The action from which evil results is good or indifferent in itself; it is not morally evil.

2. The intention of the agent is upright - i.e., the evil effect is sincerely not intended.

3. The evil effect must be equally immediate causally with the good effect, for otherwise it would be a means to the good effect and would be intended.

4. There must be a proportionately grave reason for allowing the evil to occur.[2]

In the euthanasia debate the evil is obviously the death of the patient and the extent to which another individual has assisted in that process. In exploring the PDE we must adopt this point of view but we should also recognise that it is not one held by all writers on the subject of euthanasia. Some argue that to assist in the death of another can in certain circumstances be an act of compassion and morally

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[2]In ***A New Dictionary of Christian Ethics***, p. 162.

correct[3]. Furthermore others will argue that it is misleading to think of death as an evil in every instance.

The PDE developed to its present form of four conditions from a simpler concern on the part of St Thomas Aquinas to justify killing in self-defence. Aquinas's concern was to find some way of accommodating certain natural actions, such as self-defence, with Saint Paul's condemnation of actions which involve evil as a means to good ends (Romans 3.8). Scholars cannot agree on the extent to which Aquinas provides the essence of the PDE in his writings but they claim with confidence that: 'he still gave the initial impetus to its explanation and application in the authors who follow him even to the present'.[4] From the seventeenth century the PDE is no longer required to provide a justification of killing in self-defence but begins to be employed to justify the indirect killing of innocent people in wartime. According to Mangan, the PDE does not become a generally accepted principle of

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[3]See, for example, the contributions to ***Your Ultimate Choice***, edited by the Voluntary Euthanasia Society, especially chapters 5 & 6, 'Acts of Compassion' and 'The Doctors' Dilemma', pp. 59-98.

[4]Joseph T. Mangan, 'An Historical Analysis of the Principle of Double Effect', ***Theological Studies***, 10 (1949), pp. 41-61 (p. 52).

moral theology until the mid-nineteenth century with the publication of Gury's ***Compendium Theologae Moralis*** in 1850.[5] Whatever the process of development, it is clear that the PDE became an accepted principle of moral reasoning with general application. G.R. Dunstan's recent example of its general usefulness serves to illustrate the point both of its ready application and its comprehensiveness:

> A ship's captain may, in an emergency, order the closing of watertight doors. The action is necessary to save the ship and as many as possible of her company. If some of the crew are trapped behind the closed doors, the captain is not culpable in law or morals for their death - though he would have delayed as long as possible to enable them to escape. Their death would be a secondary and unintended effect of a necessary act.[6]

ii purposes and virtues

In advance of looking at criticisms and limitations of the PDE it is important to achieve a clear understanding of both its purposes and virtues, for these are significant.

The PDE aims to limit areas of moral ambiguity in hard

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[5]Ibid., pp. 56, 61.

[6]In ***Dictionary of Medical Ethics***, edited by A.S. Duncan, G.R. Dunstan & R.B. Welbourn (1977, revised and enlarged 1981), p. 145.

or difficult cases by being as specific as possible about the grounds on which we may cause evil in pursuit of good. This much is clear from the example used at the principle's inception, that of killing in self-defence. Thomas Aquinas explores the difficulty of defending oneself and thereby risking committing an evil act:

> A single act may have two side effects, of which one alone is intended, whilst the other is incidental to that intention. But the way a moral act is to be classified depends on what is intended, not on what goes beyond such an intention, since this is merely incidental thereto, as we have seen already. In the light of this distinction we can see that an act of self-defence may have two effects: the saving of one's own life, and the killing of the attacker. Now such an act of self-defence is not illegitimate just because the agent intends to save his own life, because it is natural for anything to want to preserve itself in being as far as it can. An act that is properly motivated may, nevertheless, become vitiated if it is not proportionate to the end intended. And this is why somebody who uses more violence than is necessary to defend himself will be doing something wrong. On the other hand, the controlled use of counter-violence constitutes legitimate self-defence, for according to the law 'it is legitimate to answer force with force provided it goes no further than due defence requires' [here Aquinas is quoting from the ***Decretals of Gregory***].
>
> It remains nevertheless that it is not legitimate for a man actually to intend to kill another in self-defence, since the taking of life is reserved to the public authorities acting for the common good, as we have seen.[7]

Obviously an extreme situation is envisaged, where an

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[7] ***Summa Theologiæ***, II-II, q. 64, a. 7.

assailant is making a potentially life-threatening attack on someone. The defender is justified in killing the assailant if that is the most effective means of stopping the attack and surviving. If it were possible to save one's life without taking that of the assailant then that would be preferable and morally desirable. If however that were not possible it is morally acceptable to kill the assailant with the intention of saving one's own life and only secondarily killing the attacker. The death of the assailant is consequent upon the desire or responsibility for self-preservation.

A second example from the history of the PDE is that of killing the innocent in time of war. The pursuit of victory in war, and given the historical context of the example and that it is being discussed in textbooks of moral theology we might also assume that it would be a 'just war' under consideration, necessarily involves the killing of the enemy combatants. In trying to do this there are often occasions where it is difficult if not impossible to avoid risk of injuring or killing enemy or other civilians who are innocent. Killing the enemy may involve killing some innocent people. The PDE allows for the fact that some innocent people may be killed in the legitimate pursuit of war and seeks to limit their number. Without the application of the PDE

in this context more people would die because if there were no restriction on killing in pursuit of war there would be little responsibility on those who waged war to exercise caution in situations where legitimate enemy targets mingled with innocent people. The good is the pursuit of victory through war; the necessary evil - to be permitted in a restricted fashion - is the killing of innocent people.

A further important aspect of the PDE is illustrated in the examples above. That is its attempt to allow for exceptions in areas where there is a hard rule, such as a prohibition on killing, which requires modification in certain circumstances. The commandment not to kill is central to Christian behaviour and although there have been and are agreed exceptions, such as war and the death penalty, even these are now under question. The need for some form of regulation of extreme situations is acute in certain circumstances to which the PDE has been applied more recently, such as abortion and euthanasia. There is a danger that in either of these areas it might become too convenient to allow exceptions which would lead to abuse. If there is a strong emphasis on the commandment not to kill, then exceptions to that rule require clear and strong justification in such a way as to uphold the original prohibition on killing. Exceptions which appeared to

allow killing would be a threat to the original commandment. The PDE is seen as affording precisely this advantage in situations where otherwise killing might be understood to have been condoned. We will return to this concern below and consider the extent to which the PDE still affords such protection when considered in relation to the specific area of euthanasia.

A third area where the PDE is seen as having a use today is in the area of conscience. Whatever limitations it may have as an ethical theory and as we shall see these seem to be increasing, it can be seen to afford a certain amount of comfort to those who have to make difficult decisions and then act on them in borderline situations. The prohibition against killing is very strong in many societies and it goes against the traditional ethos of all the helping professions. The distinction the PDE affords between direct and indirect killing is one which is very helpful in this context although not without difficulties. This distinction will be discussed below as part of a consideration of the moral difference between killing and letting die.

iii knowing and intending

There are two main and significant limitations of the PDE. The first of these is best illustrated through a series of examples. Dr A has a patient who is suffering from an ectopic pregnancy. That is, a fertilised embryo has lodged itself in a fallopian tube: if it is allowed to remain there the outcome will be the death of the woman. She acts to save the woman's life by removing the fallopian tube in which the embryo is lodged. Dr B is assisting a woman to give birth and finds himself in the rare situation nowadays of having to consider a craniotomy. That is, if he does nothing neither child nor mother will survive, but if he crushes the baby's skull at least the mother's life will be saved. If he chooses the latter option and saves the mother the result of his work will in effect be the same as that of Dr A whose patient was also saved. However in terms of the PDE only Dr A's course of action could be condoned. Dr B would be censured for opting for the second of the two alternatives before him. Were he to choose the first option and do nothing, allowing both mother and baby to die, he would not be condemned. In terms of the PDE the distinction lies in what is intended on the part of the moral agent, in these cases the two doctors. Dr A intends to save the life of her patient and will do

this by removing a fallopian tube within which is lodged a foetus which could not come to full term and is in effect only a threat to the mother's life. It is merely a secondary consequence of her action that the foetus will die; it was not what she intended. Dr B on the other hand, in choosing the craniotomy as the better of the two options in wishing the same end, that is the well being of his patient, has chosen a course of action which means that his method of achieving that end is highly questionable in terms of the PDE. Dr B intends the good of his action by means of an evil action, that is the death of the baby. It does not matter in terms of the PDE that if he does not perform the craniotomy both mother and baby will die. Dr B's action fails on at least the first three conditions of the PDE. It involves killing; the death of the baby is sincerely intended as the means to the good effect, and therefore not allowed; the evil effect clearly precedes the good effect and the good effect would not be possible otherwise. In 1884 this specific option was condemned by Papal decree because it did not meet the conditions of the PDE.[8] On these grounds the PDE

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[8]Tom L. Beauchamp & James F. Childress, ***Principles of Biomedical Ethics,*** third edition (1989), p. 129. However for a contradiction of this reference within a broader but brief critique of Beauchamp & Childress's description of the PDE in modern medical ethics, see: James F. Keenan, 'The function of the Principle of Double Effect', ***Theological Studies***, 54 (1993), pp. 294-315 (pp. 294-295).

makes an important distinction between the actions of the two medical practitioners. That distinction lies wholly in the area of intent and depends for its credibility on the ability to make sufficient distinction between the intention of an agent and what the same agent might reasonably be expected to foresee or know of as a possible, albeit secondary, consequence of his actions.

This introduction to one of the limitations of the PDE takes us straight into the main problem area of the PDE as far as any consideration of euthanasia is concerned. In this area another common example is that of terminally ill patients who are treated by two different doctors. Mr X is treated by Dr A with a drug designed to reduce pain. As the disease tightens its grip on Mr X the dose is increased to keep pace with the increase in pain. A known consequence of this form of medication is that Mr X's system will gradually loose its ability to resist the disease and the increased level of the pain killing drug will in fact shorten his life. Dr B, on the other hand, is treating another patient, Mr Y, who is suffering from an identical condition to Mr A. As chance would have it Dr B is using precisely the same medication in his treatment of his patient as is Dr A but there the similarity ends. Dr B knows that his patient is dying

like Dr A's, however he chooses to act on his knowledge that the patient does not want to go on living in unnecessary pain when no recovery is possible. Dr B therefore chooses to administer the drug in precisely the same doses as Dr A again, coincidentally, increasing medication as the disease worsens. Dr B does this with the intention of hastening the death and therefore the release from suffering of his patient. The result is that both patients die approximately the same length of time after the onset of their fatal diseases and after the same course of treatment by different doctors. As in the parallel example of the unfortunate pregnancies there is a difference in how each medical practitioner's behaviour will be regarded at least by those who subscribe to the PDE, even though as in the previous example the outcomes are identical.[9]

Consideration of an example such as this is made the more confusing because of the attitude taken formally and quite openly by the Roman Catholic authorities. The problem is expressed clearly in a North American statement, published in 1975 and included in the

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[9]A legal prosecution would be unlikely to result from an example such as the hypothetical case described here. Dr Cox, of course, did something similar to Dr B but it was different in the important and essential detail mentioned above that the drug Dr Cox administered had no possible palliative effect.

Ethical and Religious Directives for Catholic Health Facilities: 'it is not euthanasia to give a dying person sedatives and analgesics for the alleviation of pain, when such a measure is judged necessary, even though they may deprive the patient of the use of reason, *or shorten his life*.'[10] This is a more explicit statement of the principle expounded in the Sacred Congregation for the Doctrine of the Faith's ***Declaration on Euthanasia*** (1980) where following a discussion referring to Pope Pius XII's view on the use of pain killers in medical treatment, this statement is made: 'In this case, of course, death is in no way intended or sought, even if the risk of it is reasonably taken; the intention is simply to relieve pain effectively, using for this purpose painkillers available to medicine.'[11] It is this clear awareness that death is a more than likely consequence that seems to undermine any credibility of the PDE as a moral tool in the area of euthanasia. It is in danger of being understood as a rather strange basis for assuming that a particular medical practitioner, in the case of our example above Dr A, is in some sense morally superior to other doctors not following her practice because she

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[10]Found in: Beauchamp & Childress, ***Principles of Biomedical Ethics***, p. 130. My italics.

[11]***Declaration on Euthanasia***, English translation, pp. 8-9.

is able to block from her consciousness the more than likely consequence of her action in administering pain killers.

This second parallel example has shown how actions similar in externals may, by means of the PDE, be understood and interpreted very differently. The distinction again lies in what each of the doctors intended. Dr A sought the relief of pain for her patient. Any other consequence of her treatment was unintended and purely secondary. That her patient died at the same stage as Dr B's, of identical causes and to some extent hastened by the medication applied to relieve pain, matters not one bit. Dr A's action is wholly praiseworthy in terms of the PDE whereas Dr B would again find his actions condemned. While treating his patient he intended the relief of pain by hastening the inevitable death through the administration of pain-killing drugs. In terms of the PDE, because his aim knowingly included the death of the patient, Dr B fails to meet the second condition, that is that his action sincerely did not intend the evil outcome - the death of Mr Y.

There is a need to establish a viable distinction between *knowing* and *intending*. Such a distinction is essential to the PDE and is clearly assumed in

Aquinas's initial statement quoted above. Aquinas states that what determines the moral character of an action is what is intended. Anything which occurs which is not intended is merely accidental and should not form part of any moral assessment of the action, assuming it is proportionate to the end. If a viable distinction is to be established here it hinges on an ability to see that any connection between two consequences of a particular course of action is not essential. A distinction must be found between what an agent foresees as being a possible result of a voluntary action and what he intends. A further element in this distinction is the point that all means towards the desired and acknowledged end are attributable, that is must be taken into account in any moral assessment of the action. On the other hand consequences of the action foreseen by the agent but not directly or indirectly used as a means or as any other form of assistance to the desired end can be ignored. These latter are regarded as accidental or unintended and consequently are exempt from scrutiny in terms of the PDE. It is on this point in both hypothetical examples above that Dr A's behaviour was condoned while that of Dr B was condemned. In the case of the craniotomy the doctor's specific intention was to kill the child in process of birth with the specific intention of saving at least the mother's life, given that had he done

nothing neither the mother or the child would have survived. In the second example of Dr B's practice, it is his specific intention to administer pain killing drugs as means to both possible ends which separates his otherwise identical treatment from that of Dr A in terms of the PDE.

How viable is this distinction? Can it be credibly asserted that an individual may know certain consequences of an action to be more than likely and yet be in no way responsible for any effects ill or otherwise which will follow from the action, if they were sincerely not intended? We might understand this distinction as it has been established through the PDE, yet it is not clear that we would recognise it as morally relevant in another context. A stock broker wanting to get rich quick might use inside information to which he had access to buy and sell the shares of others at prices greatly advantageous to himself, thereby robbing others of profits and betraying his customers' professional trust in him. Were he then to maintain that his sole intention was to feather his own nest by sailing a little too close to the wind, and further claim exemption from any responsibility for the losses of other share holders (which were consequent upon his own illegal activities) on the basis that he sincerely did not intend that others might loose as he

gained, would we find ourselves able to exonerate him? I think not. However there is some danger here of misunderstanding the purpose of the PDE. It was not designed to absolve people of responsibility for actions they have committed. Rather, it was evolved to determine what evil might be allowed in the pursuit of good, and to limit that evil as far as possible. Nevertheless, there remains room for some confusion on this point.

At this juncture it is relevant to say that in the area of medical ethics at least, to talk of certain outcomes of established courses of action as either 'possibilities' or 'probabilities' is somewhat artificial. So much is now known in medical science that some outcomes can almost be assumed. For example, for the physician administering pain killing drugs at such a level that the patient dies to claim that the death of the patient was a probable but not a certain outcome of his action stretches credibility.

iv a wider critique

Despite our discussion so far, this aspect of the PDE - the distinction between *knowing* and *intending* - does not command widespread respect even in the field of

medical ethics.[12] Returning to the hypothetical examples given earlier: to assume that in the cases of the unfortunate pregnancies Dr B is acting with any morally significant difference of motive towards his patient is seen by some as a means of confusing the issues rather than clarifying them. This distinction between what an agent knows or foresees and what on the other hand he sincerely intends, the second condition of the PDE, matters in the euthanasia debate only to those who accept that there is a significant moral difference between on the one hand mercifully killing someone and on the other letting someone die or killing them obliquely and indirectly. The result of either course of action is the same apart from the declared intentions: the patient dies. As with the second condition of the PDE, the third condition requires a particular frame of mind to catch its essence. In order that this condition be met an action involving a necessary evil must have that evil occurring simultaneously with the desired good effect in order that any evil effects are not means to the desired good end. Were the evil to occur before the good effect it might then be considered a means to the end and in that way be unacceptable. The point here being that it can never be right to use evil as a means to good. In

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[12]Raanan Gillon, ***Philosophical Medical Ethics*** (1986) p. 138.

this condition of the PDE we see a concern to acknowledge the idea in St Paul that it is never permissible to cause evil in pursuit of good, which is behind the establishment of the principle. In terms of our examples, Dr B's hypothetical craniotomy kills the child in the process of birth as a means to the good of saving the mother's life. The commandment against killing must be upheld. It takes precedence in terms of the PDE over any sense of compassion for the life of the mother. The greater good is the holding of a firm line against killing. In fairness to the advocates of the PDE we must acknowledge at this point that they themselves admit that this condition has been too rigorously applied in the past. Two questions arise at this point. How realistic is the fear behind any tampering with the commandment against killing, given that there are and have been several sanctioned exceptions? Secondly, how realistic a picture of human motivation or rather how credible a model of human moral action do we have in the picture implicitly drawn by this third condition? The first question, that about the fear of unlawful killing, will be addressed below while the second is examined now.

There are many instances in common life where we accept a possible or even a likely or definite evil consequence in pursuit of a specific or a general

good. This flies straight in the face of the third condition of the PDE. There are occasions where we are prepared to put up with certain known and intended unfortunate or evil consequences of our actions because we are sure the intended benefits will outweigh the problems caused. We are not usually anxious about the extent to which the evil precedes, follows from or is simultaneous with the good intended by our action. Here we may look to a contemporary Roman Catholic moral theologian who has worked on the relevance of the PDE from this angle: Peter Knauer. In an article that is frequently quoted in discussions of the PDE, Knauer argues for a new understanding of the application of the PDE which centres on understanding the third condition in terms of 'proportionate reason'.[13] Crucial to this point of view is a distinction which Knauer establishes between types of evil: 'physical' (that is ontic, pre-moral or non-moral) and 'moral' evil. There is not a problem willing a physical evil and in fact we do this fairly commonly when for example we perform an amputation or a sterilisation, so long as a proportionate reason exists for our action. Good is being served and so the evil matters little in itself.

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[13] 'The Hermeneutic Function of the Principle of Double Effect', in ***Readings in Moral Theology No 1***, edited by Charles E. Curran & Richard A. McCormick (New York 1979) pp. 1-39.

Whatever has been done has been done specifically in order to allow some specific good to occur and consequently is not seen as a 'moral' evil.

The question might be asked: to what extent is this argument distinct from consequentialism, or can we judge an action purely by its consequences? If I have represented Knauer's point of view correctly, then it becomes difficult to see how his argument might be employed generally. Any conclusion about what type of evil was being employed would depend on one's perspective. It is difficult to see many of the defenders of the traditional understanding of the PDE agreeing that sterilisation might be a purely physical evil, given the position on birth control outlined in the Papal Encyclical ***Humanae Vitae*** (1968) and sustained consistently since then. Taking these observations further, it is not clear what role the second condition of the PDE might have if Knauer's re-definition of the third condition is accepted. It would seem that an evil act may be sincerely intended in the pursuit of a proportionate good. This would seem to render the second condition redundant, as traditionally understood.

At this point it is worth looking briefly at the debate around the PDE itself. It has already been mentioned

that it is now challenged in some of its strict applications in the field of medical ethics. As reference to Knauer's article suggests, there is some debate among supporters of the PDE about its strengths and weaknesses in contemporary applications. Richard A. McCormick is one of the leading supporters of the PDE as an ethical tool and one who has consistently engaged with critics of the principle. With another North American scholar, the Protestant ethicist Paul Ramsey, he has edited a volume of criticism and comment on the PDE: ***Doing Evil to Achieve Good: moral choice in conflict situations*** (1985). The book opens with an essay by McCormick, *Ambiguity in Moral Choice*, setting out a statement and defence of the PDE. There follows a series of four articles by leading Catholic and secular moral philosophers, the latter including William K. Frankena, commenting on McCormick's essay and the PDE in general. The book concludes with McCormick's extended commentary on the commentaries. The reader of these studies could well be excused some sense of confusion in trying to follow some of the arguments and criticisms because misunderstandings and their polite identification are one of the leitmotifs of this work.[14] The mutual confusion appears to be at its greatest between McCormick and Frankena but is by

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[14]See for example p. 146 and in response pp. 241-2.

no means limited to them. One area where there is agreement, on this occasion between McCormick and Bruno Schueller, a revisionist critic like Knauer, is on the fact that with one or two exceptions the PDE has been 'the exclusive property of Catholic moral 'theology'.[15] However one of these exceptions, a key non-Catholic moral philosopher they refer to as having used the PDE, Philippa Foot, has expressed considerable reserve about her earlier views of the theory in an article first published in 1967, and widely reprinted.[16] No mention is made of her qualified reservations nor is there a direct reference to Foot's work.

Reading ***Doing Evil to Achieve Good*** leaves one with the impression that the PDE, in spite of what McCormick and other supporters say, is the product of a very particular point of view and one that is increasingly rare nowadays. This is true to the extent that the theory seems to be of only very limited use indeed if at all in the specific applications traditionally reserved for it in the area of medical ethics, such as abortion and more recently euthanasia. The supporters

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[15] Ibid., pp. 197-8.

[16] 'The problem of abortion and the principle of the double effect', found in ***Moral Problems***, edited by James Rachels, second edition (1975), pp. 59-70; see especially p.64. The article was originally published in the ***Oxford Review***, no. 5 (1967).

appear to have difficulty agreeing among themselves on the precise mechanism and application of the theory; they criticise some of their fellows who are more successful in forming a revision of the theory, claiming that Knauer completely redefines the key terms[17] thus by implication undermining precisely that which he claims to be affirming; and they acknowledge that the theory has had and still enjoys little direct support outside their own specific group.

Having examined the issue of the view of human nature and action implied by the PDE we have gone further to look at the specific context of Roman Catholic moral theology within which it is mainly discussed. Now we may turn to the second issue identified earlier, the concern that without the PDE society would be allowing a dangerous erosion of the commandment against killing. Would this actually be the case? There are other sanctioned exceptions to the prohibition on killing which either were or are maintained without seeming to weaken the commandment. Killing is allowed in war and in self-defence, at best circumscribed in both cases but nevertheless clearly acceptable as an option in extreme situations. Capital punishment is another area of debate but also one where a clear exception to the

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[17]*Doing Evil to Achieve Good*, pp. 165-166.

rule against killing has been made. All three of these instances of exceptions to the commandment prohibiting killing have been maintained in societies which have managed to hold a firm line against killing. While all three have led to abuses, they have not resulted in a general disregard for the value of human life based on their erosion of the prohibition against killing. It does not follow that to disregard the PDE would automatically lead to a serious watering down of the commandment. Furthermore, as Philippa Foot has pointed out,[18] in rejecting the PDE we are not left only with the size of the proposed or consequent evil caused in the pursuit of a particular good as the guide to whether or not we may condone any action. Foot gives examples of situations where an action which benefitted several individuals even at the expense of only one person would still be condemned. It does not follow that a society which did not directly or implicitly follow the PDE would be any more prone to allowing killing or an erosion of the value placed on human life. The PDE as a general ethical rule has something to commend it when applied to the sort of very general situation of the ship's captain faced with the dilemma of killing some of his crew in order to allow the majority to survive, as illustrated in Professor

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[18] Foot, 'The problem of abortion and the PDE', pp. 68-69.

Dunstan's example above. In such cases there is a valid distinction to be made between the good of saving the majority of the crew and the evil of doing that at the cost of a few who would not otherwise be saved. The PDE affords a way of both understanding how the captain acted and offering a framework within which we may commend his courage in taking responsibility for the death of some of his crew in order that the rest may have a chance to survive. In less extreme examples, we are used to the idea that to achieve some goods we must at times be prepared to cause some harm, or do something we would not otherwise condone. In such cases we are guided by a sense of proportion and with that a sense that even so some goods cannot be obtained if the price is too high.

v attitudes to death

A further criticism of the PDE in relation to euthanasia is that it only works if one is prepared to assume death as the evil identified in the different conditions of the PDE. Perhaps what has happened here is that a fear of death and the anxiety about allowing killing in the face of a commandment condemning it have become entangled. The connection between the PDE and the prohibition on killing has been explored. Here I want to look briefly at the possible influence of a

fear of death on the development and application of the PDE in the field of medical ethics.[19] My concern here is to suggest that the PDE allows us to act in a certain way in relation to patients who are close to death.

There are a number of tensions in our attitudes to both our own and others' deaths. At one level we acknowledge death as something of which we are very frightened, either because we do not know what lies beyond it, or we fear what we think might lie beyond or because it is the end as far as we know of all that holds meaning for us. When this degree of fear is operating there is a tendency to actively avoid the threat: it is so great we cannot bring ourselves to think directly about the source of the fear and we act in ways which deny the existence of the threat posed by death. At another level we may acknowledge the reality

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[19]There are several explorations of our attitudes to death: a wide ranging historical perspective is provided by Philippe Aries in ***The Hour of our Death***, translated by Helen Weaver (1981); ***Man's Concern with Death*** (1968) by Arnold Toynbee and others provides some general views of theological and philosophical concerns; John Bowker's ***The Meanings of Death*** (1991) offers a perspective of different cultural attitudes; more popular and personal views are offered in Ronald Blythe's ***The View in Winter: reflections on old age*** (1979) and ***A Necessary End: attitudes to death***, edited by Julia Neuberger and John A. White (1991). The theme of denial is discussed in Ernest Becker, ***The Denial of Death*** (1973).

of death, recognising it as something which comes to us all and that it needs to be faced but still living as if it is something which we may ignore on a day to day basis. It is there, but it is not healthy or life giving to dwell on it because to do so upsets the patterns and values we set store by in living our lives. This is a weaker version of the first way of relating to death. It is worth identifying it separately here because this second model is probably the most general and consequently the most influential. The least common view of death but one which has a long history within the Christian tradition is that of the active acceptance of death. Here the individual lives accepting death as a re-union with God. While the event may hold some anxieties and even fear, it is broadly to be welcomed.[20] These three patterns of relating to death provide a general background for our discussion of the PDE in this area. I want to suggest

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[20]An example of precisely this attitude was illustrated in an obituary in which was quoted a letter written a year before death at the end of a long life:

> It is very interesting living with death as probably the next event - sometimes I feel rather frightened - but mostly rather longing ...God has been so incredibly good to me that it is silly not to go on trusting.

Quoted by the Rt Revd Oliver Tompkins in an obituary of Mrs Susan Hodson, ***The Church Times*** (3 April 1992), p. 5.

that the PDE in its application to euthanasia reflects a general, non-specific fear of death. In terms of the three models outlined, the PDE would most obviously be influenced by the first two: the fear of death and its consequent denial or by the reluctant acceptance of death and the fact that we then try to ignore it. How might this work?

Sherwin B. Nuland has given an unusually frank appraisal of some of the pressures and constraints physicians find themselves under when caring for patients towards the end of their lives.[21] One of Nuland's main concerns in writing is his perception of the physician's struggle with disease, often described in either a military metaphor or that of a riddle to be solved, to the point often of obscuring his or her concern to care for the patient. In several places he illustrates autobiographically some of the general points Hauerwas makes about trends in modern medicine which seem to be driven more by the concerns of the physicians than by the needs of the patients.[22] In particular, Nuland acknowledges critically in both his own practice as a surgeon and in that of his medical colleagues, a tendency to treat patients beyond that

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[21] ***How We Die*** (1994).
[22] See especially Hauerwas's essay, 'Reflections on suffering, death and medicine', in ***Suffering Presence***, pp. 23-38.

point which it is wise or necessary: 'that error should occur in the treatment of a patient, it must always be on the side of doing more rather than less.'[23] This tendency stems in part from the habit of calling a natural process, death, by the name of a disease and the consequent inability to recognise that ultimately there is no cure for the process of aging and the connected physical decline. The physician is highly motivated to challenge the disease or to solve the riddle it poses. When that cannot be done, things change:

> As the long siege drags on and one after another treatment has begun to fail, those enthusiasms tend to fall by the wayside. Emotionally, doctors then tend to disappear; physically, too, they sometimes all but disappear.[24]

In Nuland's eyes the remarkable and benevolent advances in biotechnology have a distinct drawback when they mean that physicians prolong lives that might previously have ended a little earlier but in peace:

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[23] ***How We Die***, pp. 221, 249 & 253. Nuland's autobiographical observations are supported by the results of a recent survey of American doctors which specifically indicates that patients may be kept alive because care givers are in some cases unaware of the permissible option of withdrawing treatments: Mildred Z. Solomon, *et al.*, 'Decisions near the end of life: professional views on life-sustaining treatments', ***American Journal of Public Health***, 83 (January 1993), pp. 14-23.

[24] ***How We Die***, p. 258; see also p. 72.

> The beeping and squealing monitors, the hissing of respirators and pistoned mattresses, the flashing multicoloured electronic signals - the whole technological panoply is background for the tactics by which we are deprived of the tranquillity we have every right to hope for, and separated from those few who would not let us die alone. By such means, biotechnology created to provide hope serves actually to take it away, and to leave our survivors bereft of the unshattered final memories that rightly belong to those who sit nearby as our days draw to a close.[25]

Nuland is committed to challenging this trend whereby medicine protects us from or denies individuals the chance to address directly the experience of death. Although his book is not clear about how he intends to go about this, that he has written and identified so clearly what is happening is in itself a contribution to engaging with the problem. In some senses of course the Hospice movement addresses this same issue: caring

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[25]Ibid., p. 254.

for the patient who cannot be cured.[26] Here it is necessary to make explicit the parallels and possible connections I see between the situation as Nuland describes it and the PDE.

The PDE provides a way of allowing physicians to administer drugs which have the effect of granting gentle deaths to terminal patients without legalising euthanasia. The question arises of whether or not the PDE is being used as a tacit means of condoning euthanasia without condoning it, that is without acknowledging that it has occurred. However, my concern

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[26]Originating in the 1960s, this movement has developed an international concern to provide the best and most appropriate care for those suffering terminal diseases, especially cancer. Under the direction of Dame Cicely Saunders, at St Christopher's Hospice in London, pioneering studies in the care and management of dying patients revealed that more could be done than had been previously for these patients, especially in the area of drug therapies. This work developed a new model of of care for the terminally ill which aimed to provide treatment which addressed the patient's needs and their impending death from several points simultaneously. Account is taken of the social, psychological and spiritual dimensions as well as the physical complications presenting in any case. The aim of the multi-disciplinary care team is to help the patient and their immediate relatives or friends to exercise as much control as possible in coming to terms with the difficulties and opportunities presented by the approach of death. For a brief general description of the hospice movement see: Cicely Saunders, 'Hospice Movement', in ***A Dictionary of Pastoral Care***, edited by Alastair V. Campbell (1987), pp. 116-117. For a fuller discussion see Derek Doyle, editor, ***Terminal Care*** (1979).

is to explore the idea that the PDE in its implicit assumption that to hasten death is an evil act, enables a degree of collusion with the denial of death. The idea of the hastening of death being an evil act stems in part from our strong and necessary social prohibition on killing. It is also an indication of a fear of death and as long as there is a social fear of death we will have difficulty in facing death directly. If there was no fear of death, or even if it could be faced directly, then we would be more able to either openly acknowledge a direct responsibility for assisting those close to it to die or we could devise a model of care that actively embraced euthanasia as a compassionate act.

This discussion makes clear the idea that there is a relative nature to the prohibition on killing in medicine. In spite of appearing to confirm the prohibition on killing the PDE in fact allows it under very restricted circumstances and in that way circumvents the apparent moral absolute of the prohibition on killing.

These observations are suggestions about ways in which the PDE may influence and in turn be influenced by the context within which it is applied. There seems to be a distinct and discernible, although perhaps not

consciously intended, shift in the way the PDE is understood in its application within the sphere of medical ethics. Those who first applied the principle to the different bioethical issues that it has been used to address would not recognise or approve of the loose sense in which it may now be commonly understood. The original and essential emphasis on the intention of the physician, which although it might always be open to question, was assumed to intend only the good of the patient in the relief of pain. Now, the action of administering a deliberately high dose of a pain-killing drug is assumed to be covered by the formal good intention not to harm the patient, but what that good intention amounts to has changed. Whereas before it assumed the intention to remove pain, now it may apply to the intention to end suffering by ending life but only so long as certain strict criteria are met.[27]

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[27]See, for example the following use:

> Some people also use the term passive euthanasia to describe the act of a doctor or other person who prescribes or administers pain-killers or other (e.g. sedative) drugs necessary for the relief of a patient's pain or severe distress, but in the knowledge that a probable consequence of the prescription is a shortening of the patient's life. Again we think that usage is incorrect. *We speak instead of the double effect.*

From: House of Lords, ***Report of the Select Committee on Medical Ethics***, volume 1. pp. 10-11. My italics. See also pp. 20-21 & 49-50.

Kennedy and Dworkin referred in different ways to the influence of our attitudes to death on the issue of euthanasia. I have shown how some of these attitudes might be connected with the PDE and the way it is understood and applied in medical ethics. If there is a need for a shift in our understandings of death within medical practice, then might one ask if the circumstances have changed sufficiently to allow for a wider view of death? While recognising that living is still predominantly a good, something to be enjoyed and affirmed even in adversity, we can now also envisage situations in which death becomes a good. Medical technology has greatly improved the general standard of health care in western countries and as a result people live longer. However there remain some diseases resistant to cure and the aging process eventually defeats medical prowess. At the end of life some people find themselves in situations where they see death as a release from pointless and unremitting suffering as a terminal disease enters its later phases. Medicine has traditionally resisted death as the greatest threat to the health and well-being of the patient. A danger of continuing so to view death in the circumstances outlined above is that we commit ourselves to keeping alive those who might prefer to die because of a social fear of death. Along with the fear of death there is perhaps an anxiety about taking

responsibility in this area for another exception to the prohibition on killing.

Discussion of the PDE has led into a review of criticisms of it and on into more general consideration about the overall context both in which the idea developed and that in which it now finds itself employed. In looking at the PDE it is clear that it is a useful general moral guideline but that it is limited in its contemporary application to euthanasia. However, it is also clear that the issue of euthanasia and its associated areas of concern, such as views of death and the concern about unlawful killing, are much wider than the PDE was designed to address.

While the PDE cannot be appraised directly in terms of the six principles of dialogue, there are clear connections with three of the principles. The second principle of dialogue involves a commitment to exploring the rational bases of any positions held or ideas offered to the process of ethical reflection. This description and critical discussion of the PDE has been conducted along such lines. It has been done with a view to exploring and identifying for critical discussion themes in and influences upon the PDE and in turn the influence the PDE might be assumed to exert within medical ethics in relation to euthanasia.

The historical development of the principle as it has been outlined here is more than a review of the rational basis of the principle. It is equally important as part of the understanding of the context of the idea, which is the fifth principle of dialogue. How the PDE has emerged and from what framework of thought is as important to any consideration of context as is how the idea is presently employed.

This chapter has also provided an application of the sixth principle of dialogue, that of a need to recognise the relative nature of conclusions. The PDE is drawn from the Roman Catholic moral tradition, which places great emphasis on authoritative guidelines derived from or relating to moral absolutes, many of which (such as the prohibition on killing) are shared by other Christian traditions of moral reflection. The discussion of the PDE has attempted to show that while it appeared to be a fixed point within that moral system it has changed and developed in its application and in the way in which it is understood. There was a further speculation on the extent to which the PDE might have provided an unacknowledged and perhaps unconscious means of relativising the prohibition on killing.

These two chapters have not attempted a comprehensive review of the ethics of euthanasia but they have through selected analyses and a sustained investigation shown how the principles of dialogue may be used as tools for analysing ethical confusion. What is obviously not addressed here is the role they might play in helping to construct an approach with which to engage an issue and the wider debate within which it is being considered. The next section of two chapters on the ethical issues connected with pornography will encompass such an attempt.

Chapter 7

The Ethics of Pornography

> I feel very much the futility of describing sexual emotions without describing the sexual act; I should like to give as much detail as I have of the meals, to the two coitions - with his wife and Julia. It would be no more or less obscene than to leave them to the reader's imagination, which in this case cannot be as acute as mine. There is a gap in which the reader will insert his own sexual habits instead of those of my characters.
> (Evelyn Waugh, on ***Brideshead Revisited***[1])

In contrast with the discussion of euthanasia, the pornography debate is not so clearly defined. The arguments engage a range of differing criteria in addressing the subject. These vary from considerations of rights to the issue of freedom and the concern to assess pornography on the basis of the harm it causes. Unlike euthanasia and partly because it is not debated along Judeo-Christian ethical lines, the discussions of pornography do not directly draw on substantial traditional arguments. These reasons alone make

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[1] From Waugh's ***Diaries***, 9 May, 1944. Found in: Evelyn Waugh, ***Brideshead Revisited***, 1945, with an introduction by Frank Kermode (1993), p. xiv.

pornography an interesting if difficult area of study.[2] The issues raised in the ethics of pornography will be considered in the light of the principles of round table dialogue with a view to contributing to the dialogue. The chapter following this will draw together some suggestions on how a Christian approach might be developed in dialogue. This chapter will explore the issue of pornography under two broad headings. The first section will give some indication of the range of material that is encompassed by the term pornography and the wider factors which bear on the contemporary pornography debate. The second section will look at the debate as it has evolved over the last thirty years with particular emphasis on the present concerns and ways of arguing.[3]

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[2] A particular difficulty in discussing pornography is that of referring to examples for discussion. Most pornography is available as photographs and videos. However some films that can be used to illustrate points are sufficiently well known to be recognised from their title and a brief description. There are also sociological studies of material contained in pornographic magazines and they in turn will be used for quotation and direct reference.

[3] This discussion will be limited to developments within the United Kingdom, except where it is necessary to make wider reference to follow specific initiatives or influences.

i what is pornography?

Pornography is evident in the high street at newsagents and video shops. There are also those videos, books and magazines which may be sold in licensed sex shops. In addition, there is the illegal material which attracts periodic attention from the police and may be purchased covertly in this country through some sex shops or privately.[4] In attempting an understanding of pornography that does justice to the complexities of the topic, I propose to look at a sample of commonly

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[4] Catherine Itzin provides several graphic examples of such unpleasant material in support of her arguments against pornography. A description of material she was shown at Scotland Yard in April 1990 gives a sufficient and clear indication of what is involved:

1. Fist-fucking - one woman with different men's arms up to the elbow in her vagina and anus at the same time.
2. Fist-fucking - a man pounding his arm up to the elbow repeatedly in the anus of another male.
3. Women being penetrated by a dog, a donkey and a pig (while she kisses the pig's snout).
4. A man putting a cigarette out on a woman's breast.
5. A close-up shot of a woman emptying her bowels into the mouth of a man who was chewing and swallowing her excrement.
6. A woman having her labia nailed to the top of a table.
7. A man urinating into the open mouth of women.
8. Women hung by their breasts from meat hooks.
9. A woman being eviscerated and sexually murdered.

Found in: ***Pornography: women, violence and civil liberties***, edited by Catherine Itzin (1992, reprinted with corrections 1993), [hereafter cited as ***Pornography***] pp. 50-51.

available men's magazines discussed jointly by a sociologist and a journalist and at the size and nature of the pornography industry as far as it can be accurately determined.

In 1989 Catherine Itzin and Corinne Sweet bought seventy-three different titles of pornographic magazines at a cost of nearly £200 from newsagents on Clapham High Street in south London.[5] The magazines included well-known and long-running titles such as ***Penthouse***, ***Mayfair*** and ***Men Only***, along with various exotic or 'specialist' magazines.

Itzin and Sweet described the material according to content and three main specialist themes were identified: paedophilia, sexual violence and bondage. As child pornography is illegal in Britain, this category was dealt with by using young women posed to look like little girls, sometimes with distinctive attire and with their pubic hair shaved. A common theme in the depiction of both sexual violence and bondage is that the female victims come to enjoy what is being done to them, even if they resist initially. The investigators were surprised to discover that even

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[5] Catherine Itzin, '"Entertainment for men": what it is and what it means', in ***Pornography***, pp. 27-53 (pp. 40-42).

the well-known titles carried clear depictions of the same three themes. They were not necessarily more subtle in their treatment of the themes. The most common material in the well-known magazines was pages of close-up photographs of womens' vaginas and anuses, usually held open, inviting access for penetration. These were accompanied by stories in which women were described as being constantly sexually available, insatiable and voracious. The survey shows that this material is commonly available in Britain and does not need to be specially ordered.

In 1990 in Britain these magazines, 'top shelf soft porn', were estimated to have sold over twenty million copies and be read by about five million people, mostly men. Another estimate puts the figure twenty-five per cent higher, but it is not possible to gauge the sales accurately because some of the companies do not publish their distribution figures.[6] It is clear from these figures alone that there is a considerable industry behind the production of this material.

The British pornography industry is well integrated into the mainstream of national business and publishing. Recently annual gross profits from

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[6] ***Pornography***, p. 39.

pornography have been around twenty-three million and pornography makes up two per cent of the profits of the publishing industry. The industry has been able to expand by using traditional distribution channels and to protect itself from any sudden fall in profits by diversifying into other publishing and business enterprises. Further, advertising in British pornographic magazines, as in ***Playboy*** in North America, is bought by many respectable businesses. A significant feature of the British industry is its ability to flourish within the normal business network. An example of this which indicates of versatility of the industry is the development of the 0898 telephone numbers which are widely advertised. Some but not all of these numbers are owned by the same companies which publish the magazines. These telephone lines offer taped recordings of popular and pornographic stars 'talking dirty' along with some explicitly violent material. In 1987 forty-five million calls were made to these telephone lines. The profit of this for pornographers is estimated at thirty-five million pounds for that year. British Telecom opened the 0898 lines in 1894 with an initial gross annual revenue of two million pounds. This has risen to three billion pounds in 1992. Pornography in Britain, which in contrast with some other European countries such as Holland, has restrictive laws and attitudes to

pornography, is nevertheless a lucrative business.[7]

Pornography is very difficult to define. Even within one culture there are differences of perception stemming from individual preferences. It seems unlikely that this will change yet societies need some satisfactory criteria by which to assess pornographic material. In 1977, with the acquittal of the publisher of ***Inside Linda Lovelace***, attempts to prosecute the written word were abandoned.[8] Attempts at both definition and legislation since then have not been particularly successful and the new technologies already pose problems in the policing pornography.

Kenneth Clark, the art historian and writer, offered a definition designed to help distinguish between true art and pornography. It was based on the effect which the material either has or is designed to have on the viewer:

> To my mind art exists in the realm of contemplation, and is bound by some sort of

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[7] A detailed discussion of the connections between British pornographers and business may be found in: 'Pornography and Capitalism: the UK pornography industry', ***Pornography***, pp. 76-87.

[8] For a discussion of the factors leading to this situation, see Geoffrey Robertson's foreword to ***The Trial of Lady Chatterley***, edited by C. H. Rolph (1961, reissued with a foreword by Geoffrey Robertson, 1990), pp. xix-xxi.

> imaginative transposition. The moment art becomes an incentive to action it loses its true character. This is my objection to painting with a communist programme, and it would also apply to pornography.[9]

This definition from an experienced critic illustrates the difficulties: personal preference is all. Many art forms are intended to move the viewer, especially religious art and those commemorating military triumphs. The scene depicted may evoke strong feelings and serve a clear function of encouraging others to self-sacrificial acts of charity or bravery. Even in the field of pornography, it is not clear that all pornography incites to action.[10]

Recently very specific definitions of pornography have been offered. A legal definition which has been applied in the USA, influencing the formulation of new legislation, contains two parts. Firstly, pornography is defined as that which is *graphic*, *sexually explicit* and *subordinates women* (it must contain all three of

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[9] Testimony to the Longford Committee on pornography, found in: Lynda Nead, 'The Female Nude: pornography, art and sexuality', ***Sex Exposed: sexuality and the pornography debate*** (1992), edited by Lynne Segal and Mary McIntosh [hereafter cited as ***Sex Exposed***], pp. 280-294 (p. 280).

[10] The possible effects of pornography will be discussed below, but some studies of the reactions of viewers of non-violent pornography indicate that the material has a calming effect: Bill Thompson ***Soft Core*** (1994), p. 118. [Hereafter this book will be cited simply as ***Soft Core***.]

these characteristics). Secondly, it must also contain one or more specific conditions of harm in the form of sexual objectification or sexual violence. Specifically this includes women presented as:

1. dehumanised as sexual objects, things or commodities; or
2. as sexual objects who enjoy humiliation or pain; or
3. as sexual objects experiencing sexual pleasure in rape, incest or other sexual assault; or
4. as sexual objects tied up or cut up or mutilated or bruised or physically hurt; or
5. in postures or positions of sexual submission, servility, or display; or
6. as body parts - including but not limited to vaginas, breasts or buttocks and anuses - exhibited such that women are reduced to those parts; or
7. being penetrated by animals; or
8. in scenarios of degradation, humiliation, injury, torture, shown as filthy or inferior, bleeding, bruised or hurt in a context that makes these conditions sexual.[11]

This definition addresses the problem of abuse and has the advantage that it does not include sexually explicit material premised on equality, or genuine sex education and forensic materials (neither of which are

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[11] While clearly based on a model of the subordination of women, the same definition may equally effectively be applied to the situation of men and children: ***Pornography***, pp. 435-436.

contested in the pornography debate). The distinction between erotica (or 'sexual representations that aim to be sexually arousing, but that are non-abusive and non-sexist'[12]) and pornography has always been difficult to establish.[13] Sometimes distinctions are made between types of pornography, using the terms 'soft core' and 'hard core'. Given the difficulties in defining pornography it is not surprising that this further distinction is often so confusing as to be virtually

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[12] Diana E. H. Russell, ***Pornography***, p. 317.

[13] Gordon Hawkins and Franklin E. Zimring compare the definitions of key terms used in three government commissions investigating pornography: the US Johnson Commission (1970) and Meese Commission (1986) and the UK ***Williams Report*** (1979). Hawkins and Zimring show how the authors of the reports have used terms in a vague and interchangeable fashion, made especially clear in their Tower of Babel diagramme. ***Pornography in a Free Society***, chapter 2, 'On Definitions', pp. 20-29 (p. 26). There is an obvious extent to which pornography and erotica must be considered to be culturally determined. Not only will what is acceptable to one generation change from that of the generation before, but different cultures will find different levels of nudity and sexual activity acceptable. While not providing a contemporary analysis of this theme, the opening chapters of Peter Webb's ***The Erotic Arts*** (1975, second edition 1983) illustrate this point through his survey of the erotic in primitive, ancient, oriental and early western art: see especially pp. 10-174.

useless.[14] In this study only the word pornography will be used to describe the material under discussion. Distinctions will be evident from my description of what is being discussed.

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[14] Thompson, in ***Soft Core***, p. 2, attempts a distinction which illustrates my point:

> For all intents and purposes...British soft core consists of pin-up style pictures of semi-naked or naked women and men, close -up pictures of female genitalia, and couples or groups simulating sexual contact....British soft core videos consist of women posing around in underwear and taking their clothes off....Consequently the British tend to call magazines and videos which show men and women having sex in various positions and combinations...hard core. Americans and Europeans, however, often use the term soft core to describe oral and genital sex, up to and including ejaculation; hence the description 'suck and fuck' movies. Hard core is reserved to describe minority sexual practices, once known as 'perversions', such as anal sex or drinking ejaculate.
>
> When I use the phrase soft core in this book I will follow the American convention, and add the prefix 'British' to refer to our top-shelf magazines and videos. 'Hard core' will be reserved for images which show more than vaginal and oral sex, and all other minority interest material will be designated by specific type.

ii what are the arguments?

This section will focus on the contemporary arguments about pornography after a brief review of their immediate antecedents. These earlier discussions enable us to notice how consideration of the issues has developed.

The debate in Britain today has its origins in the ***Report of the Committee on Obscenity and Film Censorship*** (known as the ***Williams Report***, after its chairman Bernard Williams), published in 1979.[15] It was specifically set up to review 'the laws concerning obscenity, indecency and violence in publications, displays and entertainments...and to review the arrangements for film censorship...and to make recommendations.'(p. 1) It acknowledged the confusion now caused by the old test of obscenity, derived from a phrase coined in a judgment of 1868, as something with the 'tendency to deprave and corrupt those whose minds are open to such immoral influences and into whose hands a publication of this sort may fall.'(p. 9) The difficulties in prosecuting literature in the nineteen seventies contributed significantly to a recognition of

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[15] Hereafter cited as: ***Williams Report***. In the discussion which follows all references will appear parenthetically in the text.

the need for reform.

The Williams Committee, having consulted widely for both evidence and views,[16] came up with the general conclusion that it is better to avoid the need to censor by restricting access:

> The evidence put to us showed a remarkable balance of opinion in favour of the idea that the principal way of controlling pornography should be to restrict its availability....the right way to deal with a lot of sexually explicit material at least, was to confine it to those who wanted it and prevent its offending everyone else. (p. 112)
>
> The principal objective of the law should be to prevent offence to the public at large and to protect young people from exposure to unsuitable material. (p. 130)

While there was consideration of the possible harm caused by pornography, it was conceived of more as a public nuisance caused by inappropriate display. The authors rejected any indication that there was evidence to suggest a link between media violence and violence

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[16] The Committee received little evidence from women or women's groups and attempted to remedy that with extra calls for submissions, specifically aimed at women.(p. 1)

in society.[17] In the general sense of harm the ***Williams Report*** is clear in dismissing any demonstrable causal negative influence of pornography:

> To regard pornography as having a crucial or even a significant effect on essential social values, is to get the problem of pornography out of proportion with many other problems that face our society today. (p. 95)

The Committee nevertheless did acknowledge that:

> We were totally unprepared for the sadistic material that some film makers are prepared to produce. We are not here referring to the explicit portrayal of sexual activity or to anything which simply attracts the charge of offensiveness. Films that exploit a taste for torture and sadistic violence do raise further, and disturbing, questions. (p. 144)

The Williams Committee did not explore those questions.

The ***Williams Report*** has been influential in the sense that government policy in the 1980s attempted to limit and restrict pornographic material along the lines of the Report's recommendations. However, it is clear from both the proliferation of forms of pornographic

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[17] There was however an acknowledgement that even some of those who denied the existence of such a link, Dr Guy Cumberbatch for example, did think that there should be restrictions on the portrayal of violence.(p. 144) The harm that was acknowledged and considered by the Williams Committee was harm done to those involved in making the pornographic material, especially children. The evidence relating to harm of performers was thought to be less than conclusive. See pp. 65-68 & 131-133.

material and the debate that has developed since the committee reported, that there were inadequacies in the Report's approach and recommendations. Some of these are evident from reading the Report and stem from obvious flaws in the arguments.[18]

The Report does not provide any sustained analysis of the main ethical issues, although it does try to address the inadequacies of the old legislation in recognising that they are no longer fit tools to address the concerns. The Report is informed by two concerns: a liberal notion of the right of the individual to follow their own preferences where that right does not impinge upon the freedom of others; and a sense of the offence caused by the public display of much pornographic material. It attempts to address both of these concerns in its recommendations that harmful material should be banned and that all other pornographic material should be sold from limited and clearly marked outlets. This approach has several consequences. There is no distinction drawn between those types of pornography deemed acceptable after the unacceptable material has been banned altogether.

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[18] See: Anthony Skillen, 'Offences Ranked: the ***Williams Report*** on obscenity', ***Philosophy***, 57 (1982), pp. 237-245; and Ronald Dworkin, 'Do we have a right to pornography?', in ***A Matter of Principle*** (1985), pp. 335-372.

Following from this, there is no recognition that different forms of pornography might have differing effects on or in society. The approach of banning all pornography is in danger of creating a distinct ghetto attitude towards a subject, sexuality, which needs constructive attention if society is to grow in self-awareness in this area. Thirdly, as a result of its reliance on the principle of what is found to offend the public, the Report blurs, and thus makes it even more difficult to manage, any viable distinctions between art, erotica and pornography.

A further limitation of the Report, although not one that bears directly on the issue of pornography as the committee identified it, is the complete absence of reflection on the use of sexual or pornographic imagery in advertising or general non-pornographic films. Not to consider these areas is to ignore the power of visual images. The cost and effectiveness of advertising in particular, and the influence of political cartoons both testify to their potency. Some consideration of advertising as a very influential area of the media is conspicuously lacking in many studies of pornography, not just the Report. The authors may well have been influenced in ignoring this area through the false distinction they established between written and visual material, because of the failure to bring

successful prosecutions against written material in the mid-seventies.[19]

These observations are about the consequences of the Report's approach. There are still two significant flaws in the reasoning which have limited the use of the Report. The first is that by assuming that people should have access to pornography, so long as others are not harmed or offended, the Report has not troubled to look at any reason why people should enjoy such access. This point stems from the assumption that they may enjoy or use pornography, but is it clear that people should have such an option? Hand in hand with this problem goes that of identifying clearly the grounds for restricting access to pornography. A more substantial basis for argument is required than that of public offence or the narrow view of harm as allowed by the Report. These shortcomings in the ***Williams Report*** have combined with some of the difficulties that it was set up to engage with, such as the inability of the courts to contain the spread of pornography and the

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[19] Were it reporting now, in the aftermath of the James Bulger case and the assumed influence of 'video nasties', the Williams Committee would take much more account of the power of visual imagery. This is now a contentious subject and one which has evoked very strong reactions in Parliament, the press and the community of academic psychologists. For press coverage of the issues, see: ***The Daily Telegraph***, 1 & 2 April 1994; ***The Guardian***, 2 & 13 April 1994; ***The Scotsman***, 14 July 1994.

expansion of the pornography industry, to make the issue of pornography even more complicated to discuss. It has already been noticed that the ***Williams Report*** was limited in its understandings of possible harms: this is a significant weakness.

Since the publication of the ***Williams Report*** much more attention is now paid to the issue of the possible harmful effects of pornography. Between 1985 and 1989 government commissions in the United States, Canada, Australia and New Zealand investigating pornography and related concerns, reported that there was a link between pornography and harm, particularly towards women. In 1990 the British Home Office published a report which it had commissioned specifically to investigate such links. In contrast to the overseas reports, the British one found that no causal links could be established between pornography and sexual violence.[20]

In describing the contemporary debate in Britain, I will use three recent texts all of which have been referred to in the first section above where they

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[20] Dennis Howitt & Guy Cumberbatch ***Pornography: impacts and influences, A review of the available research evidence on the effects of pornography*** (1990), pp. 83-85.

provided some of the material used in describing the issues under discussion. The first, edited by Dr Catherine Itzin, ***Pornography: women, violence and civil liberties*** (1992), is described unequivocally on its own cover as 'an attack on the multi-billion pound pornography industry.' Itzin, an academic sociologist with an active involvement in civil liberties, maintains that:

> Pornography plays an important part in contributing to sexual violence against women and to sex discrimination and sexual inequality.[21]

The collection of essays she has edited presents the arguments against pornography at several levels. Although informed by feminist thought, the anthology is not limited to that perspective and includes articles and appendices on censorship and a chronology of all anti-pornography initiatives in Britain.

Itzin's argument against pornography is threefold and takes issue strongly with the conclusions of the ***Williams Report***. She and her co-writers present a cogent case that pornography is, firstly and most significantly, degrading and damaging to women. It is also addictive and therefore is capable of creating and maintaining a significant restriction upon the freedom

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[21] ***Pornography***, p. 1.

of choice of those individuals who buy and use pornographic material. Thirdly, the developing pornography industry can be accused of a degree of economic exploitation of both victims (actors and actresses in this case) and also viewers, through the cost of the addictive material. Estimations of the nature and extent of this harm to various groups are taken as the main indicator of the acceptability or otherwise of pornography. In Itzin's words, what pornography does 'must matter at least as much as men's pleasure, as much as art and literature, more than the profits of the pornography industry.'[22]

Bill Thompson's ***Soft Core: moral crusades against pornography in Britain and America*** (1994) takes the opposite point of view. Thompson, a criminologist at Reading University, describes the various groups that have opposed pornography and speculates less convincingly about their motives.[23] In presenting a survey he is also arguing a case in which he takes

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[22] ***Pornography***, p. 1.

[23] Although much of Thompson's narrative is clear and he provides a full bibliography with suggestions for further reading, his style lacks precision. For example, in a discussion of the destruction of 1000 copies of D.H. Lawrence's ***The Rainbow***, Thompson (***Soft Core***, p. 17) comments:

> All in all, this was probably a good thing, as Lawrence was a prat who claimed he could detect a difference between pornography and his art when there is none.

issue with the arguments of those opposed to pornography and questions both their premises and conclusions. In questioning the evidence and conclusions derived from the harm studies, Thompson wants to prevent too much weight being placed on debatable material. He is concerned that the opportunities to enjoy pornography which exist at present in Britain should not be further eroded by a campaign in which feminists and fundamentalist Christians have allied to limit the freedoms of others.

The third text is a further collection of essays, ***Sex exposed: sexuality and the pornography debate*** (1992), edited by Lynne Segal and Mary McIntosh. Like Itzin's collection, this book is written mainly by feminists but has a quite different slant. Segal and McIntosh are members of Feminists Against Censorship and their essays reflect this concern in the debate. These three books address the same issues and lend themselves to fruitful comparison in a way that provides insight into the current debate in Britain.

All three texts address the issue of harm caused by pornography: Itzin under that title, while Thompson considers the same material under the more neutral

title of Pornography Effects Studies.[24] Segal and McIntosh have a different approach and while they do refer to the same material, the importance accorded to it in their essays is considerably less. They consider the issue of harm to be a product of a certain feminist perspective about which they have reservations.[25] Given that the contemporary debate now focuses mainly on the issue of the harm caused by pornography, these important differences in perspective will be discussed below, in the section following that on the possible harms of pornography, where the wider arguments used in all three texts will be analysed.

The most obvious difficulty when considering the results of the different harm surveys is that they are contested. Itzin and her co-writers take them to be clear evidence that pornography causes harm but acknowledging that in several areas more research needs to be done. Thompson on the other hand finds no clear link. He questions the value of the evidence and makes some credible criticisms of their limitation as evidence. He points out that it is impossible to reliably compare the results of the different surveys

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[24] ***Pornography***, pp. 201-397; Thompson, ***Soft Core***, pp. 116-151.

[25] See for example Elizabeth Wilson's 'Feminist Fundamentalism: the shifting politics of sex and censorship', ***Sex Exposed***, pp. 15-28.

involving responses to pornographic stimuli because the reports of the research usually describe the methods and type of material used but do not say which specific books, films or pictures were shown to the subjects. Thompson comments on the same studies as discussed in Itzin's ***Pornography*** but concludes:

> The real problem is not the contradictory results but the manipulation of the experiments by the researchers. Until a rigorous and uniform standard is imposed so that the discoveries of the past are utilized whatever is being tested, we cannot transcend these self-imposed problems. Until researchers agree on a common standard, the claim that there is accumulating evidence of a porn-aggression link is merely a testimony to prejudice.[26]

There appears to be no obvious way of resolving this disagreement over the evidence from different sociological studies. Despite the lack of agreement on how these studies should be interpreted it it is nonetheless useful to consider the issue of harm in relation to pornography.

Harm may be done through pornography to a variety of individuals. The victims range from those who are harmed by those who have been influenced by the material, through to those who are involved in making the pornography and to those who buy and use it. In

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[26] ***Soft Core***, p.149.

the first instance the victims are the women who are the wives and partners of those men who draw from pornography, consciously or unconsciously, a particular image of women and their sexuality which limits, and at worst may humiliate and degrade their partners. This influence in turn extends to all women through the pervasive iconography of pornography where female models are displayed in humiliating and degrading poses, presenting them primarily in terms of their sexual attractiveness and ready availability.[27] In 1990 in Britain a magazine survey sought to establish women's experience of and ideas about pornography. Over four thousand readers of the women's magazine ***Cosmopolitan*** responded to questionnaires. One particular aspect of the returns had not been anticipated by the authors of the survey and consequently no questions addressed the issue directly. Nevertheless, it emerged that it was claimed that pornography had been used in a considerable number of cases of sexual abuse, harassment and rape. While such a survey is not conclusive, it illustrates another area of concern and one which was corroborated by a Granada

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[27] It was this idea among others which was behind Clare Short and Dawn Primarollo's attempts as Members of Parliament to move private member's bills challenging some tabloid newspapers' depiction of topless models on page three as well as the prevalence of pornographic magazines in high street newsagents. ***Pornography***, pp. 590-594; Thompson ***Soft Core***, pp. 233-235.

Television survey also conducted in 1990.[28]

Children are a special area of concern when considering the possible harm of pornography. This is uncontestedly the case where they have been used as models in the manufacture of photographs and films, usually but not always of a very explicit nature. Thompson does not condone child pornography and specifically laments its existence.[29] That no-one defends child pornography does not mean that it is not a problem - although the size of the problem is debated by both Itzin and Thompson. Children may further be harmed by pornography through viewing it or as the result of receiving attention from or being assaulted by an adult who may have been influenced by it to assault them.

The third area in which pornography may cause harm is to those directly involved in producing it. Here concern focuses specifically on the actresses and actors. While no specific study has been done in this area it is possible, using one's imagination and some of the anecdotal evidence that exists, to recognise

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[28] See: Catherine Itzin & Corinne Sweet, 'Women's Experience of Pornography: UK magazine survey evidence', ***Pornography***, pp. 222-235.

[29] ***Soft Core***, p. 27.

something of the nature of the problem. Just as young women may be lured or driven into prostitution through a combination of unfortunate domestic circumstances and a need for money, the same can be true of reasons for entering the pornography industry. Even though participants in such enterprises may be adults it does not mean that they are necessarily free agents. Linda Lovelace, the star of ***Deep Throat*** (1973) a well known film about oral sex, claimed to have been drugged and hypnotised in order to perform in the film. She further claimed that she performed under threat of death.[30]

Finally, there is concern that pornography may harm those (predominantly if not exclusively men) who buy and use it. Although the viewer sees himself as in control of the material he watches or uses, it has a powerful influence over him which in time distorts his view of others, particularly women, and damages his

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30 Thompson, ***Soft Core***, pp. 194 & 207; ***Pornography***, p. 311; Webb, ***The Erotic Arts***, p. 296. Robert J. Stoller, in ***Porn: myths for the twentieth century*** (1991), provides an insight into the industry through a number of interviews with actors and directors of sex films. Stoller is a psychotherapist and presents the interviews verbatim, with only limited commentary and analysis. The most common patterns in the interviews are those of feelings of insecurity or past experience of sexual abuse contributing to the individual's present occupation.

ability to relate to them in ways that will lead to mutually satisfying long term relationships. The strong and often welcome feelings which users may experience on viewing or using pornography are ones that the individual may seek to repeat when in search of comfort or consolation.[31] This analysis compares the power of pornography over some individuals to that of an addiction. The addiction theory has been given prominence and credibility by the confession of some serial sex killers, such as Ted Bundy, who claim that they were led to their acts through their addiction to

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[31] John Berger, in ***Ways of Seeing*** (1972), p. 57, observed that nineteenth century public academic art, which was full of figures of nude women, played precisely this role:

> Men of state, of business, discussed under [such] paintings....When one of them felt he had been outwitted, he looked up for consolation. What he saw reminded him he was a man.

increasingly violent pornographic material.[32] Given the cost of pornography the addiction may also be financially damaging for those who buy it. If this argument is accepted, the users of pornography may be economically exploited along with those who find themselves driven through economic necessity to work in the pornography industry.

One model of the possible harm caused by pornography which connects with some of the effects studies is that of the 'rape myth'. This is the view of aggressive sexual behaviour towards women presented in much pornography and the model includes the likely

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[32] On the eve of his execution Bundy explained how his addiction to pornography operated:

> It happened in stages, gradually, it didn't necessarily...happen overnight. My experience with pornography generally, but with pornography that deals on a violent level with sexuality, is once you become addicted to it, and I look at this as a kind of addiction like other kinds of addiction, I would keep looking for more potent, more explicit, more graphic kinds of material. Like an addiction, you keep craving something that is harder, harder, something which gives you a greater sense of excitement. Until you reach a point where the pornography only goes so far, you reach that jumping off point where you begin to wonder if maybe actually doing it would give you that which is just beyond reading it or looking at it.

Found in: Corinne Sweet, 'Pornography and Addiction: a political issue', ***Pornography***, pp. 179-200 (pp. 191-192). This article gives a clear presentation of the addiction theory.

consequences of this in influencing behaviour.[33] In its simplest form the rape myth has four identifiable elements. The first posits that even if a woman does not initiate the sexual encounter, and further when she clearly shows that she does not welcome it, such an encounter is actually what she wants. No is in effect taken to mean yes. Depictions of such encounters in pornographic material commonly show the woman turning from anxious or even terrified resistance to becoming a willing participant. This in turn leads to the third stage, in which the woman is shown coming to orgasm, sometimes multiple orgasm, and ending by being grateful to the aggressor. In the fourth and final stage, the whole experience is presented as the liberation of the woman's repressed sexual self.

Such depictions of rape obviously lead to several identifiable problems. The trauma of rape is considerably reduced by presenting the rape as something the woman may ultimately both apparently enjoy as well as benefit from. Rape is depicted in a way which bears no resemblance to the experience for the victim and which gives a false account of the consequences of the act. Thus erroneous impressions

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[33] Diana E.H. Russell provides a useful theoretical and diagrammatic way of understanding pornography as a cause of rape in her 'Pornography and rape: a causal model', ***Pornography***, pp. 310-349.

are given. Most potent among these are: that women may actually want or are at least occasionally capable of enjoying rape and the kind of sexual relationship that it implies; that rape is not the serious crime it has been made out to be and consequently that those who commit it are not really so bad.

Evidence of the harm of pornography may in time be established or it may remain elusive. How crucial are arguments about the quality of evidence or the nature of the connection? Will it actually be possible to establish a direct causal link between pornographic images and violent sexual crime and sexual discrimination towards women? It matters, of course, that what is claimed can be substantiated. Statistics may show a correlation between sets of evidence, but given human nature nothing more than probabilities can be claimed. It is worth trying to step back from the discussion about possible harms caused by pornography and asking, independently of the contested evidence, whether or not we would suspect a connection and on what grounds. Further, it may be possible to decide that if there is even a risk of harm caused by or closely connected with pornography, then that risk may be assumed to be a basis for action. We will return to this issue in the next chapter.

At this point it is helpful to look at the case made by the feminists opposed to censorship, in particular their view which questions the importance of the harm caused by pornography. In understanding the point of view which they put forward on this issue, it is necessary to consider their perspective as a whole:

> Censorship may cut short women's own search for ways of understanding and expressing the complexities of their sexual lives, and the possibilities for increasing their sense of sexual agency and empowerment.[34]

They are concerned that the forms of censorship sought by those opposed to pornography may limit the freedom necessary to further explore all human sexuality. The contributors to ***Sex Exposed*** want to relocate the pornography debate within the larger debate about sexuality in general, from which they argue it should not be separated. The pornography debate is part of the wider issue of the need to discover a new and equal understanding of human sexuality within the gender confusions and inequalities which concern all feminists. A significant part of this search is the exploration through various media of gay and lesbian sexuality. These two homosexual groups have until the last couple of decades been denied the opportunity for self-expression which now exists. As part of finding a

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[34] ***Sex Exposed***, pp 2-3.

balanced view of what matters to them in the area of sexuality they have produced or acquired various erotic materials which may still be regarded as pornographic and are, in some instances, prohibited in both Britain and the United States.[35]

There is therefore a significant division within the feminist lobby over the issue of pornography, which in turn stems from differing answers to the question posed for feminists by the pornography debate. Here it is put by Segal:

> Is it, or is it not, possible for women to conceive of, and enjoy, an active pleasurable engagement in sex with men? Is it, or is it not, possible to see women as empowered agents of heterosexual desire?[36]

Some radical feminist writers hold the view that all heterosexual sex is in essence about domination of the female by males. From this perspective sex is a mild form of rape and as rape is primarily an act of aggression, then all such sex is aggressive towards women in varying degree. This line of argument helps to clarify in part the understanding of those who argue for seeing pornography as harmful and makes clear the

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[35] In ***Sex Exposed*** see: Kobena Mercer, 'Just looking for trouble: Robert Mapplethorpe and fantasies of race', pp. 92-110; Gillian Rodgerson, 'Lesbian Erotic Explorations', pp. 275-279.

[36] ***Sex Exposed***, p. 79.

need to see the pornography debate as part of a larger discussion of views of human sexuality. The idea of exploring pornography within the wider debate of our thinking about sexuality is extremely important. It will be one of the main areas considered in the next chapter in the development of an appropriate Christian contribution to the pornography debate.

Two further areas of reflection on pornography remain to be considered here: the use of ideas from the debate about free speech and the issue of the rights of the various parties involved in pornography.

The principle of freedom of speech is invoked in the pornography debate by those who wish to defend the production, distribution and consumption of pornography. The influence of this important principle is apparent at many levels. It led the ***Williams Report*** to allow pornography to continue to circulate, albeit not openly. Thompson assumes it in his concern to challenge those who seek stricter censorship. It has been invoked in discussions of both literature and art when they have been subject to or at risk of censorship for obscenity. Free speech has been held to be of value in society on two grounds. What people may say, even if it is unpopular or misunderstood, can be important as a corrective to a particular trend, attitude or

pattern of behaviour in society. Secondly, there is a distinct threat to the well being of a society that does not allow the free consideration of ideas. A regime may develop a position of power that is beyond criticism and which prohibits freedom of speech to ensure it may rule without criticism.

Therefore the question is, can those who defend pornography show on these grounds that it makes a worthwhile contribution to society and that without it we should be worse off? Certainly, it can. The representations of the gay and lesbian lobbies referred to above from ***Sex Exposed*** are quite clear that pornography has value for them in being a means of allowing them as previously persecuted minorities a way of exploring their sexuality and of developing an accepted iconography of desire. There is a similar argument for the exploration and development of heterosexual sexual expression, although I do not think it can make so strong a case, given the history of accepted heterosexual erotic themes in almost all art.

While accepting that as a result of past censorship there may be a benefit from allowing a degree of erotic self-expression, it may be asked if this, arguably the best expression of and reason for pornography, is something which can sincerely be considered on a level

with those ideas that the principle of the freedom of speech seeks to protect? Itzin argues that the case for claiming freedom of speech is weakened further when the nature of the pornography industry is considered. While those who defend pornography may legitimately claim some material has an educative value, it is not clear that this is a main concern of those who fund, administer and profit from the industry. Another issue which connects directly with the second area to be considered (the rights of various parties in the debate), is that of the restriction of the freedom of those who claim to or are seen to suffer from the freedom of others to produce pornography. As with the rights issue, this concern connects with the harm debate. If we accept Itzin's argument that pornography causes harm to women in the form of encouraging sexual violence and discriminatory practices, then the restriction of freedom consequent upon that harm has to be balanced with whatever benevolent effects the freedom to produce and enjoy pornography may have.

The problem of assessing the extent of this harm and the weight it should be accorded in considering the conflicting claims to freedom, applies equally in the closely connected area of rights. The claim by some producers and consumers of pornography to a right of access to a particular source of interest or pleasure

again needs to be considered alongside whatever harm may be caused by the use of pornography. It is customary in discussions of rights to identify the corresponding duties attached to a particular right. It is not clear what these duties might be in this area. Further, as with the idea of freedom of speech, it is not clear precisely what benefits, beyond that mentioned of erotic self-expression, might be gained for individuals or society as a whole by a right to pornography or in reverse lost were that right not to be recognised.

The legal philosopher, Ronald Dworkin, whose work on euthanasia was considered in chapter five, has proposed the idea of a 'right to moral independence'[37] within a discussion of the ideas influencing the writing of the ***Williams Report***. He acknowledges that such a right is difficult to sustain because it takes no account of the obvious problem of competing rights. He made this suggestion in trying to discover a philosophical basis for the proposals of the Williams Committee. Such a right could explain the idea of people having access to

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[37] Dworkin, 'Do we have a right to pornography?', pp. 335-372 (pp. 353-359). For an extended critical discussion of this proposal on its own merits and within the rest of Dworkin's thoughts on rights, see: Rae Langton, 'Whose Right?: Ronald Dworkin, women and pornographers', ***Philosophy and Public Affairs***, 19 (1990), pp. 311-359.

material deemed by others to be offensive but it is incompatible with the commonly accepted bases of social order and responsibility if any of the claims about the harm of pornography can be sustained. While we might allow someone to do something that may be detrimental to their own well-being, such as viewing pornography, we cannot condone that as a right where harm to others, in this case usually women, may be an outcome. Thus, it is clear that the arguments employing terms from the debates about freedom of speech and rights have similar concerns and consequent limitations.

One approach which has been used in the United States as part of the pornography debate has been informed by the civil rights campaign, particularly in the area of racial discrimination. Britain's laws in the areas of restricting racial and sexual discrimination are not as effective or as highly developed as those in America. One area where this approach has been identified as having a possible application in Britain is in connection with the prohibition of incitement to racial hatred in the Race Relations and Public Order Acts.[38] For this to apply to pornographic material it would have to be shown to encourage viewers to act upon

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[38] Mandy Merck, 'From Minneapolis to Westminster', in ***Sex Exposed***, p. 55.

what they have seen in a negative way towards women, either in terms of sexual discrimination or sexual violence.

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This review illustrates several difficulties in discerning the nature of pornography and with the ethical reflection upon it. Pornography cannot be easily or even satisfactorily defined. The inability to agree on a definition stems in part from the diverse nature of the material but mainly from the fact that those who engage in the debate about the extent to which it should be permitted all approach the issue from different perspectives and with different outcomes in view. Seeing the same material as representing different things and conveying different messages makes agreement difficult.

This same point, the positions from which participants in the debate are arguing and their intended outcomes, is an important factor in the limited use or clarity afforded by the traditional ethical arguments that are employed in debates about pornography. Some discrepancy is apparent in the appeal to ideas like rights or the freedom of speech, when it is not at all clear that either individuals or society benefit from

pornography. The failure of the ***Williams Report*** to either engage constructively with the issue of the possible harm caused by pornography or to offer a philosophical or moral framework within which to address the pornography debate, led to further confusion and polarization of the discussion in Britain. The lack of clarity in assessing the possible harms caused by pornography further confuses the debate.

If the debate as it has been outlined here is understood as a round table dialogue, analysis of what has happened is not difficult. Itzin and Thompson are both committed to their respective and almost mutually exclusive points of view. Thompson in particular expresses his argument in a frustrated, dismissive and confrontational style. His approach will need some modification before he and Itzin would be likely to agree to participate together in a dialogue formed around principles of mutual respect, clarification, learning and a commitment to openness. Both writers challenge the position of those with whom they disagree with implicit claims that they do not honestly represent the material under discussion. Thompson accuses the feminists in favour of censorship of an over scrupulous concern and of exaggerating the possible harm. Itzin is concerned that those who argue

for the freedom to enjoy pornography either do not understand the harm it may cause or do not care.

The feminists against censorship introduced the possibility for a reappraisal of this confrontation. Both Itzin and Thompson share different common ground with this third group. That said, the bond of differing feminist perspectives between this group and that represented by Itzin does not appear to be as strong as that of concern over too much censorship. The concern for freedom in both Thompson and Segal and McIntosh is sufficient to lead them both to challenge or set aside the clear claims of harm made by Itzin. Therefore the dialogue which might have developed is still hindered by clear allegiances to either the concern over harm or the importance of particular freedoms. The most difficult aspect of this argument is the strong commitment of the main participants, Itzin and Thompson, to points of view which seem to virtually exclude dialogue.[39]

This points to the need to find a new way of approaching the issue of pornography. As mentioned above, some of the feminists opposed to censorship

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[39] Thompson's concluding remark unambiguously ends dialogue: 'Me? I'm going to learn Dutch, and get the first plane over there.' ***Soft Core***, p. 285.

writing in ***Sex Exposed*** argued for pornography to be dealt with as part of the wider debate on human sexuality. However, they have not engaged in any sustained exploration of this avenue. Moving the debate about pornography into the wider context of human sexuality, could provide precisely the broader perspective necessary to understand, challenge and perhaps overcome some of the confusion.

In the next chapter there will be an attempt to provide precisely this perspective, through the development of a Christian ethical critique of pornography. As with the discussion of the debate on euthanasia, this study of pornography is attempting to show how the issue itself both challenges and may in turn be understood or challenged in turn by the perspectives of Christian ethics within the framework of round table dialogue. Where the second chapter in the case study of euthanasia focused on an important issue that informs most discussions of the subject, this second part of the case study on pornography will look at the development of the contribution that Christian ethical reflection might make in the debate. This will require an acknowledgement of the historical limitations of some Christian thought in this area as a necessary preliminary to participation in the dialogue.

Chapter 8

Christian Responses to Pornography in Dialogue

I went to the Garden of Love.
And saw what I had never seen:
A Chapel was built in the midst,
Where I used to play on the green.

And the gates of this Chapel were shut,
And Thou shalt not, writ over the door;
So I turn'd to the garden of Love,
That so many sweet flowers bore,

And I saw it was filled with graves,
And tomb-stones where flowers should be:
And Priests in black gowns, were walking their rounds,
And binding with briars, my joys & desires.

(William Blake[1])

The dialogue in the last chapter has not been fruitful. Segal and McIntosh suggested broadening the debate to include views of human sexuality. Their proposal to change the context of this discussion of pornography provides an opportunity to open the dialogue to a new participant: a liberal Christian perspective.

Thompson, if he can be persuaded to delay his departure for Holland, may not welcome this development. He has decided opinions on the contribution of fundamentalist Christians and their unequivocal condemnation of all

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[1] 'The Garden of Love', ***Songs of Innocence and Experience***, 1789-1794, with an introduction and commentary by Geoffrey Keynes (1970), plate 44.

forms of pornography.[2] The other participants may also need persuading of the value of engaging with Christian perspectives as a distinct fourth partner in this dialogue.[3] Two further factors might contribute to a reluctance about having Christians join the dialogue. First, such a contribution could be an unknown quantity. The views of the main Christian churches appears either no longer to be offered or sought in discussions of pornography, in contrast to euthanasia.[4] Secondly, all three participants might well be aware of the Christian churches' tradition of predominantly

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[2] For an example of the approach which he criticises, see: John H. Court, ***Pornography: a Christian critique*** (1980).

[3] The recent ***Manila Declaration on Pornography*** (produced in January 1995 and included here as Appendix 2) would not change the dialogue as it stood at the end of the last chapter. That document, produced at the end of an international conference on pornography (convened by the broadly based North American Religious Alliance Against Pornography) by participants drawn from a wide range of faith groups, calls for a concerted effort to recognise the harms of pornography, especially as it affects women and children. In emphasis the document reflects Itzin's concerns and does not engage in theological analysis.

[4] Where there is a contribution, it is sometimes difficult to discern. The ***Williams Report*** did have E.J. Tinsley, then Bishop of Bristol, as a member of the committee but his ecclesiastical position is not acknowledged in the report. The position is quite different in North America, where there has been considerable formal church activity since the mid 1970s: see Mary Pellauer, 'Pornography: an agenda for the churches', ***The Christian Century***, 29 July-5 August 1987, pp. 651-655 (p. 652).

negative attitudes in this area.

As long ago as the trial of D. H. Lawrence's novel ***Lady Chatterley's Lover***, in October 1960, it was possible to challenge the general relevance of a Christian perspective in this area. The Bishop of Woolwich, Dr John Robinson, was called for the defence and questioned aggressively by the prosecution on the grounds of his ability to be an expert witness.[5] Other clergy were present, but were not challenged because they had directly relevant experience in either broadcasting, education or youth work.[6] What is interesting is that the prosecution did not consider a bishop of the Church of England sufficiently qualified to give evidence in the area of pornography on the basis of his position, responsibility and general theological training alone.

It is, however, possible to imagine the hypothetical Christian participant putting together a case in seeking admission to the dialogue. Responding to these and other concerns raised by the present participants would be part of the dialogical process. It is necessary to address three particular questions

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[5] ***The Trial of Lady Chatterley***, pp. 68-73.

[6] Ibid., pp. 89-91; 145-147; 159-165.

before going on to consider how the perspectives of Christian ethics might engage with the contemporary debate about pornography. Firstly, why has this state of affairs arisen, where Christian ethics either does not have or is perceived not to have a contribution to make to the discussion? The second question is why is there very little apparent and active concern among Christian ethicists today over the issue of pornography? Thirdly, it is reasonable for the present participants in the dialogue to ask the prospective participant on what basis they intend to contribute. Each of these issues must be considered as preliminary to articulating an ethical response to pornography along Christian lines. A necessary part of preparing to join the discussion is an awareness of weaknesses and limitations in one's own position and at the same time a sense of its emphases and concerns.[7]

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[7] In the following two sections it is necessary to cover enormous areas of scholarship in a very brief fashion and there is danger of over simplification on at least two levels. First, that the summaries do not do justice to the complexities of the issues discussed. Secondly, that in attempting to draw connections and inferences in areas where there are few maps or previously demonstrated connections there is the temptation to make more of some points of view or theories than the evidence might reasonably be expected to bear. What follows, especially in the second section on possible reasons for the contemporary Church's lack of involvement in the pornography debate, should be taken as informed speculation.

i Christian attitudes to sexuality

The Christian attitude to sex in general has been almost entirely negative until this century and the consequent approach to sexual ethics may be caricatured as a concern to recommend that the right organ is placed in the right orifice of the right person.[8] Most negative expressions have the same root in a combination of the traditional interpretations of the creation and fall from Genesis and more generally in the patriarchal tradition which has dominated scripture and the thinking and interpretations of the Christian community (which will be considered below when thinking about the lack of effective engagement with pornography).

These two themes combined to influence several attitudes which developed within the western Christian tradition. These are the renunciation of the flesh with the connected idea of the elevation of the

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[8] Elizabeth Templeton, in 'Sexuality in the '90s: thinking theologically', in her ***The Strangeness of God***, pp. 103-119 (p. 112), has put this more gracefully, when talking of the Roman Catholic natural law tradition:

> Sex at the wrong time in the wrong place with the wrong person or the wrong bit of the body (and that, notoriously, has sometimes meant everything except missionary-position penetration by a monogamous heterosexual couple) is redefined as 'unnatural'.

celibate state as one of the highest vocations, and the role of sex within marriage as being almost entirely confined to procreation. The idea of renouncing the pleasures of the flesh grew from the notion that our physical response was beyond the control of reason and in this sense part of our primitive and unredeemed nature.[9] Spiritual development necessitated the triumph of the will over the body. An individual who dedicated himself to developing such control and could eventually claim immunity to natural feelings, whether sexual or otherwise, was moving closer to communion with God.[10] In this context, it clear to see how celibacy developed as a popular vocation. The idea of renouncing sexual relations was seen as removing the

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[9] There is a famous, influential and much quoted passage from St Augustine, describing the Fall, where Adam's erection is seen as the sign of the will's inability to control the body. Peter Brown, ***The Body and Society*** (1988), pp. 416-7.

[10] For a series of amusing and bizarre incidents by individuals who adopted this purpose in life see John Saward's ***Perfect Fools: folly for Christ's sake in Catholic and Orthodox spirituality*** (1980), pp. 12-21. St Simeon Salos (d. ?590) sought to express his passionlessness through a several incidents including once running into a bath house for women. In imagery that would not have confused Freud, he said:

> Believe me, my son, as wood is with other pieces of wood, so I was then. I felt neither that I had a body, nor that I had entered a place where there were bodies. My whole soul was taken up with the Lord's work, and I did not desist from it.

risks posed by indulging in the temptations of the flesh and as freeing the individual to give themselves more fully to spiritual works, either in prayer or in serving the Christian community.[11]

Not everyone, as St Paul recognised, was capable of such renunciation and for them marriage was allowed. The tradition of marriage did not encourage unrestricted sexual relations between husband and wife. Procreation was the primary purpose of sexual intercourse. Forms of sexual expression or gratification that would not directly result in conception were discouraged. Only recently has there been a liturgical acknowledgement that sexual relations might have virtue beyond the begetting of children.[12]

This antipathy to sex has so coloured the Christian response to broad issues of sexuality that in the

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[11] The text on this topic is Peter Brown's ***The Body and Society: men, women and sexual renunciation in early Christianity***.

[12] The different prefaces to the marriage services in the ***Book of Common Prayer*** and its sequels make the point quite clearly. In Cranmer's preface to the service in 1662, the first purpose of marriage is procreation, the second is the containment of sin and the third mutual comfort. In the proposed revision of 1928, these emphases were affirmed through being repeated in that order. In the ***Alternative Service Book 1980*** mutual comfort and physical delight are placed ahead of the possibility of having children.

second half of this century a major review has been necessary to enable the Churches to engage with the emergent issues of both homosexuality and feminism.

ii reasons for the contemporary lack of effective engagement

The above review gives an indication why Christian ethicists might have trouble making constructive contributions to a debate considering topics such as sexuality in general and pornography in particular. An important contribution to confusions in the area of sexuality is the way in which women have been viewed within the Christian tradition.[13]

Particularly important in understanding the confusion of Christian attitudes to sexuality, the body and especially the female body, is the contrast between the development of the cult of the Virgin Mary and the negative attitude towards women in general. As the mother of Christ, Mary was celebrated in tradition as the new Eve, the woman through whose obedience and purity the mistakes of the first woman would be

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[13] A good general survey of the place and role of women from biblical times to the present is given in Ruth B. Edward's ***The Case for Women's Ministry*** (1989), which addresses wider issues than the title suggests.

redressed. No praise was too high for her and from the central middle ages her cult grew until she was venerated throughout Christendom.[14] A significant fact about Mary in popular and theological opinion was that she gave birth without intercourse. Thus, she was free from the inevitable taint of sinful lust that accompanied all acts of intercourse.[15] In contrast to Mary's position, from the earliest Christian centuries there was a strong and unequivocal strand of plain hatred of women. Eve was seen as the prototype of all women, who in Eden had though her own selfishness, lack of will and disobedience, brought about the fall of humankind. Woman remained the temptress, who through her sensual, uncontrolled and virtually uncontrollable charms might bring destruction upon the unprepared individual.

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[14] Marina Warner's ***Alone of All Her Sex: the myth and cult of the Virgin Mary*** (1976), provides a wide ranging discussion of this topic.

[15] The doctrines of both the Perpetual Virginity of Mary and that of the Immaculate Conception, illustrate the desire to think of Mary, and thus the perfect woman, as removed from the normal processes of procreation that are part of the experience of all women. Ibid., pp. 64-65 & 236-254. The idea of Mary's perpetual virginity was first asserted in the time of the Fathers, in the apocryphal Book of James. The doctrine of the Immaculate Conception was only promulgated in 1854, but had been debated in the west since the central middle ages. The cultural historian Peter Gay notes the damaging effects of this teaching on attitudes to sexuality: ***The Bourgeois Experience: Victoria to Freud*** (1986), volume 2, pp. 48-50.

The cult of the Virgin Mary is remarkable as an illustration of ambivalence within a patriarchal tradition, which from the time of the Fathers at least has also shown a strand of misogynism.[16] This is an area worth trying to explore a little further in an attempt to understand the surprising silence of Christian ethicists in the area of pornography.

Margaret Miles has addressed the theme of female nudity in the western Christian tradition.[17] Through her work it is possible to identify two particular areas of Christian imagery and reflection which are distressingly close in their themes to those of pornography. These are accounts and later depictions of the trials of early Christian female martyrs and secondly, the depiction in art of various biblical scenes. The most vivid and obviously problematic is the former, the accounts and depictions of female martyrs. Here the problem is two-fold and it should be acknowledged that the events described and later

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16 On patriarchal influences in biblical material, see by way of summary and introduction Daphne Hampson's ***Theology and Feminism*** (1990), especially pp 81-92. For the attitudes of the Fathers, see Edwards, ***The Case for Women's Ministry***, pp. 89-101. For the influence of misogyny, see John Shelby Spong, 'Misogyny: a pattern as ancient as life', and other relevant essays in the second section of his ***Into The Whirlwind*** (1983), pp. 66ff.

17 ***Carnal Knowing: female nakedness and religious meaning in the Christian west*** (1992).

depicted were done by those persecuting the martyrs. Having occurred, these events were recorded within the Christian tradition, which at different times in its history drew strength from the recounting of adversities faced by those called to be witnesses to their faith in Christ. Miles wants to draw attention to the manner of the recalling, first in the written accounts of the martyrdoms and then in the later pictorial representations. Her point is that there is not equal treatment of male and female martyrs:

> Martyrdom...was an occasion on which women were often stripped of their clothing before crowds in late Roman colosseums. The regularity with which the female body and female nakedness were featured in *acta* and popular novels indicates that their readers expected such details, though they seldom note male martyrs' nakedness.
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> Martyrdom literature, though it reveals women's attitudes to their bodies, also indicates that Christian authors and audiences shared the interest of late-classical crowds in female nakedness. In many martyrdom accounts, respect and esteem for women martyrs vies with textual interest in their bodies or concern to establish the inferiority of their sex, disclosing male confusion and conflict over heroic Christian women.[18]

Later, in the Renaissance, interest in the details of female martyrdoms was fostered by the publication of

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[18] ***Carnal Knowing***, pp. 56-57. Miles's discussion of this point of view with examples can be found on pp. 53-63.

accounts, often accompanied by illustrations.[19] At much the same time there came to be an interest in the depiction of certain biblical scenes which again may be interpreted in several ways. Miles discusses those of the nude Eve and the story of Susanna and the elders. She makes the point that there is possibly another reading of the images beyond those of straightforward depiction of the individuals. Along with images of Eve and Susanna as sinner and sinned against respectively, there are themes represented by the nudity of the figures. Where in male figures nudity may be read as a sign of spiritual struggle and integrity, there is no such tradition behind the depiction of the female nude, which is primarily associated with male desire: 'a naked woman is necessarily too erotic to portray heroic spiritual struggle'.[20] The female nude is predominantly associated with sin and temptation in the Christian tradition. That this point holds true beyond

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[19] Miles describes such works as 'religious pornography', ***Carnal Knowing***, p. 156. Another art historian, Edward Lucie-Smith in ***Sexuality in Western Art*** (originally published as ***Eroticism in Western Art***, 1972, revised 1991), who acknowledges the voyeuristic theme in depictions of some biblical scenes (pp. 36-38), does however make the point that:

> Curiously enough...it is representations of male saints which offer more abundant material for the study of sadistic imagery in painting than representations of female ones. (p. 216)

[20] ***Carnal Knowing***, p. 144.

a particular period in Christian history is made by the following contemporary example.

Edwina Sandys' ***Christa*** (1983) is a sculptural representation of a nude female figure in cruciform shape. This image hung for some time in the Cathedral of St John the Divine, New York, where it was seen as offering a vivid and theologically interesting interpretation of the sufferings of woman. However it too is obviously open to other readings, especially in a culture which through pornography celebrates the humiliation of women through suffering:

> The naked and tortured female body has been appropriated by a media culture and cannot therefore be arbitrarily assigned religious meaning. The ***Christa*** cannot communicate religious meaning in twentieth-century Western culture any more than sixteenth- and seventeenth-century paintings of Susanna and the Elders could effectively communicate Susanna's innocence in societies for which, for centuries, female flesh had symbolized sin, sex, and the fall of the human race.[21]

Miles does not claim that Christianity is hindered in challenging pornography but it is a reasonable deduction from what she has argued. She makes a case for a heightened awareness when viewing aspects of the

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[21] ***Carnal Knowing***, p. 177. For a wider discussion of this event and some themes in feminist theology and sexuality associated with it, see: Carter Heyward's ***Touching our Strength: the erotic as power and the love of God*** (1989), pp. 114-118.

Christian tradition in art, especially in relation to the depiction of women. If there is either a covert enthusiasm for the themes of pornography in the tradition, or more likely an unconscious collusion with aspects of a tradition that condones the humiliation of women, then that same tradition will not find it easy to either identify the issues of pornography or credibly challenge them when they have been identified.

We must now address the third question asked of the potential participants as they seek to join the round table dialogue, having offered a critical review of their tradition. This question divides into two connected parts. On what basis might Christian ethics participate in the wider discussion and secondly what may Christian ethics contribute to the dialogue?

Two particular issues in the area of human sexuality have concerned the churches in recent decades: homosexuality and the growth of feminism. Feminism has been evident in the churches as in society but has also taken the particular form of the long and continuing debate over the issue of the ordination of women to the priesthood, especially in the Roman Catholic and Anglican Churches. Both of these factors have resulted in a gradual but profound rethinking of many of the traditional Christian views in the area of sexual

ethics.[22] The need for the churches to reconsider their views and the consequent reflection by Christian ethicists has taken place against a wider background of important factors influencing social change. Four such have been identified in reviewing specific changes in Christian views: the developments in contraceptive methods; the influence of co-education, especially at residential tertiary level; 'the re-emergence of feminism'; and the increasing medical recognition of an involuntary element in determining individual sexual orientation.[23]

These factors have combined to produce a view of human sexuality within Christian perspectives which is wholly positive. The following quotation illustrates this

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[22] ***Issues in Human Sexuality***, a statement by the House of Bishops of the Church of England (1991), for example, is a response to the call of the 1988 Lambeth Conference for a 'deep and dispassionate study of the issue of homosexuality' (p. vii), which provides its now infamously flawed response as part of a study of biblical and Christian views of sexuality. See Michael Banner's 'Five Churches in search of sexual ethics: a short commentary on a statement from the House of Bishops and some other recent reports', ***Theology***, XCVI (1993), pp. 276-289. A less well-known but worthy contribution to increasing an awareness among the churches about human sexuality is Robin Smith's ***Living in Covenant with God and with One Another: a guide to the study of sexuality and human relations using statements from member churches of the World council of Churches*** (1990).

[23] Elizabeth Templeton, 'Sexuality in the '90s: thinking theologically', ***The Strangeness of God***, pp. 103-119 (p. 104).

clearly and is drawn from the foreword to a collection of essays by twenty-eight contributors, mainly from North America, which aims to provide a resource for further Christian thinking in this area:

> Sexuality embraces our way of being in the world as persons embodied with biological femaleness or maleness and with internalized understandings of what these genders mean. Sexuality includes our erotic orientations - our attractions to the other sex, to the same sex or to both. Sexuality includes the range of feelings, interpretations, and behaviours through which we express our capacities for sensuous relationships with ourselves, with others, and with the world. While sexuality is always rooted in our bodily realities, it is much larger than these, always involving our minds, our feelings, our wills our memories, indeed our self-understandings and powers as embodied persons.
>
> Theologically, we believe that human sexuality, while including God's gift of the procreative capacity, is most fundamentally the divine invitation to find our destinies not in loneliness but in deep connection. To the degree that it is free from the distortions of unjust and abusive power relations, we experience our sexuality as the basic eros of our humanness that urges, invites, and lures us out of our loneliness into innate communication and communion with God and the world.[24]

With this positive view of human sexuality and sexual expression in both human relations and those with God, there is a new appreciation of the importance of the

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[24] ***Sexuality and the Sacred: sources for theological reflection***, edited by James B. Nelson and Sandra P. Longfellow (1994), p. xiv.

sexual in our spiritual development.[25] For centuries the language of sexual desire has been used figuratively by some Christian mystics to describe both their longing for God and their experience of mystical union with him. However, it is now possible to find descriptions of sexual intercourse which are paralleled with participation in the eucharist:

> Sexual union is eucharistic, a liturgy that may heal and restore loving partners to a spiritual centredness. In this liturgy, union is capable of performing something with a deep meaning. Those who freely unite themselves with another come to know themselves at the same time as profoundly self-possessed, rather than invaded or stolen.[26]

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[25] See for example Urban T. Holmes's ***Spirituality for Ministry*** (1982), chapter 6, 'Sexuality and Holiness', pp. 95-112. The first British writer to make a substantial claim for the importance of understanding our sexuality in relation to our spiritual development was Alan Ecclestone in ***Yes to God*** (1975); see especially chapter 6, 'Spirituality and Sexual Love', pp. 87-103.

[26] Philip Sheldrake, ***Befriending our Desires*** (1994) p. 66. See also Adrian Thatcher's ***Liberating Sex: a Christian sexual theology*** (1993), pp. 41-44. This is in marked contrast to the earlier strict separation of these two activities. Bede's ***A History of the English Church and People***, translated with an introduction by Leo Sherley-Price (1955, revised 1968), records a correspondence between Pope Gregory and St Augustine, active in England 597-c.604/5, in which they discuss the concern about men receiving communion after intercourse and if, a priest, the concern about celebrating the eucharist after 'impurities in dreams', pp. 76-83.

In the first part of this chapter we have reviewed both negative attitudes to sexuality within the Christian tradition and a possible ambivalence within that same tradition which may account in part for the unusual silence around the issue of pornography. Feminism along with the issue of the ordination of women and the growing tolerance of homosexuality have each contributed to a wide review and reformulation of traditional Christian attitudes to issues of sexuality. It is possible to show a consistently clear and positive appraisal of the sexual aspects of human experience within Christian thinking. Thus, Christian ethicists may contribute to the dialogue on pornography from a position that has an affirmative view of sexuality and its general importance along with a specific valuing of the human body in its own right and as an arena of the sacred.

In terms of the round table dialogue on pornography, we may now understand how it is that the Christian perspective is not directly represented in public debates. The brief surveys above have a two-fold purpose in terms of the argument of this chapter. They demonstrate how what has been said before may influence a new discussion. They also serve as an important first stage in seeking re-admission to the current debate by stating how the present participants stand in

relation to what has gone before. In order to take up a place at the table Christian ethicists need to make clear (for their own sake as well as that of the other participants) where they stand in relation to the tradition of reflection in the area under discussion. This the above survey does, demonstrating both past confusions and present commitments. Christian participation in the wider debate needs to begin with an acknowledgement that all was not for the best in the past and that the task of revision is not complete, or as Gareth Moore has put it succinctly: 'The church needs to do more thinking about sex.'[27] The chance to participate in a dialogue about pornography is a welcome opportunity occurring as a result of having begun to reformulate Christian views of sexuality and at the same time it provides a welcome stimulus to necessary further thinking.

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[27] *The Body in Context: sex and Catholicism* (1992), p. 213.

iii dialogue around the table

In discussions of pornography among Christian ethicists, who all consider it within the context of human sexuality, three dominant concerns may be identified.[28] First, an attempt to discern the meanings of pornography and secondly, a concern about the consequences for human relationships influenced by pornography. Thirdly, there is a desire to assess the issue in terms of love. There is also an attempt to move away from the caricatured traditional concerns of Christian ethics. Further, all Christian perspectives pay clear attention to the given nature of our bodies and our capacity for sexual pleasure. Theologically this is understood in terms of God's creation of humankind and our essential relationship with him that embraces all aspects of life: 'God is the creator of

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[28] In the following discussion I will mainly be drawing on four writers who have commented directly on pornography: James B. Nelson ***Embodiment: an approach to sexuality and Christian theology*** (1979), pp. 163-168 [hereafter referred to as ***Embodiment***]; L. William Countryman, ***Dirt, Greed & Sex: sexual ethics in the New Testament and their implications for today*** (1989), pp. 243 & 245-6; Adrian Thatcher, ***Liberating Sex***, pp. 187-190; Mary Pellauer, 'Pornography: an agenda for the churches', ***The Christian Century***, 29 July-5 August 1987, pp. 651-655, [hereafter referred to as Pellauer, 'Pornography']. This article is also reprinted in the anthology ***Sexuality and the Sacred***, edited by James B. Nelson and Sandra P. Longfellow, pp. 345-353.

the body and its enormous potential for pleasure.'[29] This will be an important aspect of the Christian contribution to the dialogue but it will not necessarily be overt. To talk of something as given or as a gift implies a giver and to recognise something in this way affects our attitude towards it. There is something special, or set apart, about our bodies, which comes from the way Christians believe them to be given and which in turn may determine how we use them.

Dr Mary Pellauer, writing specifically on pornography as a feminist theologian, mentions a further concern. There is an initial reluctance to confront pornography in public debate within Christian circles for fear of provoking a tirade against sexuality in general. Although there has been a review within Christian thinking of attitudes to sexuality, not all parts of the Christian community have followed the new

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[29] Thatcher, ***Liberating Sex***, p. 39.

thinking.[30]

Concern about the meanings of pornography focuses on issues such as who is using it, in what context and the important issue of what might be being communicated through the images portrayed. There is common agreement that the predominant though not exclusive users of pornography are men. There are a range of possible situations in which pornographic material is being used. Adolescents may use it to gain an awareness of the sexual facts of life[31] and to gain release of sexual tension where that is not open to them through regular sexual relationships. Where pornography is used by prisoners, widowers and other individuals in isolated situations where they are

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[30] Pellauer, 'Pornography', p. 651. She indicates two areas where participation can make individuals vulnerable from some quarters:

> Whatever we say about porn may reveal things about us we would rather keep concealed. In some circles, for a woman even to look at pornography, let alone to observe and analyse it, raises suspicions about her morality. Though I see the need to confront pornography as a Christian, I fear touching off a backlash against sexuality and against women in the churches. I often feel tongue-tied in the face of these issues.

[31] More than half of a sample of boys under fourteen claimed that pornography was their main source of information about sex. Adrian Thatcher, ***Liberating Sex***, p. 188, quoting from a TV broadcast on 5 November 1992.

unable to find other outlets for their sexual energy,[32] might it be viewed differently from the same use by an individual within an established physical relationship? It would depend on what is portrayed. In the latter situation there is more than one person involved. The second partner in the relationship may have different views about pornography from those of the individual using it and furthermore may find that the pornography influences the sexual preferences of their partner in ways that they do not find acceptable.[33] It is possible that the pornography may provide a means of broadening and enriching the sex life of the couple. In following this issue it is necessary to consider what may be communicated by pornography.

The last chapter gave a clear idea of what is contained in and may be communicated by much popular pornographic material. Nelson sees an essential distinction in considering material that may be sexually explicit but not exploitative. What matters is the manner in which the sexual action is portrayed:

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[32] Masturbation was traditionally condemned in Christian morality. For a contemporary view see: Jack Dominion & Hugh Montefiore, ***God, Sex & Love*** (1989), pp. 27-29.

[33] See Catherine Itzin and Corinne Sweet, 'Women's Experience of Pornography: UK magazine survey evidence', ***Pornography***, pp. 222-235; see also ***Sex Exposed***, p. 86.

> If it is non-exploitative and if it adequately portrays human sexual expression in both its goodness and its human complexity, that is one thing. But if its promises are false, if it is exploitative of persons and if it rests on the very dualisms from which we seek healing, that is quite another.[34]

Where pornographic images affirm patterns of physical or emotional abuse and offer such as models for relating, rather than as critical reflections of the complexity of human loving, then they are to be condemned. Where images affirm a patriarchal and abusive view of women and a consequently distorted idea of sexuality they likewise cannot be accepted. Pellauer makes the further and valuable point that in Christian discussions of pornography there is a clear need to distinguish between objections to material on the grounds that it is sexual and that it may combine sex and violence. The historic Christian condemnation of sexual activity has led to an ignoring of the violence in the acts condemned and some right wing Church groups may still be focusing on the sex rather than on the violence which may for them determine the pornographic nature of the material being discussed.[35] In assessing the consequences for relationships, Christian voices are divided over the

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[34] ***Embodiment***, p.168.

[35] Pellauer, 'Pornography', p. 653. In support of her criticism of the tradition in confusing sex and violence, she cites St Augustine on rape in ***The City of God***, Book I, chapters 17-30.

issue of a causal link between pornography and harm,[36] but are unanimous in seeing a connection between pornography and a threat to the establishment of lasting and equal relationships based on mutual love and respect.

The third aspect of Christian comment on the issue of pornography and one that is absent from the wider debate is the role of love. Love not just as what is conveyed in some sexual activity but love as the context within which to attempt an understanding of the whole debate. Gareth Moore reviews Roman Catholic attitudes to sexuality and sexual ethics and argues for love as the dominant criteria for assessing action in this area:

> Much of what we do may not particularly concern or affect others, but in so far as it does the questions we are to ask are: Is what I am doing just or unjust? Is it generous rather than mean? Is it an attempt to dominate? And so on. In short: is this a loving action, or a habit of a loving action?[37]

Moore's perspective is not unique but is valuable when applied in the area of sexual ethics which, in Catholicism in particular, has traditionally been determined by law rather than love. Moore's criteria, in the form of the question, 'is this a loving action,

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[36] For contrasting views see: Nelson, ***Embodiment***, pp. 163-167, and Thatcher, ***Liberating Sex***, p. 188.

[37] ***The Body In Context***, p.3.

or the habit of a loving action?' may usefully contribute to the dialogue about pornography.

In summary, it is possible to find Christian thinkers who have made assessments of pornography and whose concerns reflect those already present in the wider debate: such as the portrayal of women and human sexuality in a degrading and confusing fashion; the possible connection between harm and pornography; and the possible benefit of the portrayal of sexual activity if it is within the context of rendering a true and honest picture of the human condition. In this last area particularly, the idea of the determining role of love has some application as it may do within the wider debate, even where it is not conspicuously present as a significant factor or moral principle. The other positions in the pornography dialogue, identified in the previous chapter, have varying perspectives on these issues. In order that the dialogue may develop, it is now necessary to identify a specific perspective in the light of what has been said above.

Mary Pellauer's article,[38] in spite of its brevity, provides a very good starting point because it

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[38] Pellauer, 'Pornography'.

addresses directly the issue of pornography as a concern for the Churches. In this dialogue she speaks not only as an individual but as a person with a particular perspective within a group who are attempting to review, renew and restate a positive Christian position in the area of sexuality and pornography. Pellauer is clear that she is not prepared to condone pornography, but in reaching that conclusion she covers much ground that is helpful in both presenting a Christian position and for engaging in the wider dialogue. From her article it is possible to imagine that her argument could be developed further and that her points of view as both a Christian thinker and as a feminist have something to contribute to the dialogue. She writes from a perspective of having studied both pornography and the religious dimensions of violence against women.[39] She is aware of the limitations in the Christian tradition in the area of sexuality and the treatment of women and wants to affirm the importance of a right understanding of the goodness of sexuality:

> For me, pornography is problematic not because it is sexually explicit, but because it portrays violence and domination in a sexual context. I

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[39] At the time this article was written, she was co-ordinator for research and study at the Commission for Women of the Evangelical Lutheran Church in America. Pellauer, 'Pornography', p. 651; ***Sexuality and the Sacred***, p. xii.

> have no desire to return to Victorian prudery, to the earlier condemnations of sex as a special source of sin, or even to the lesser silences about sex in our own century. But because I cherish my whole sensual self and believe that good theology calls us to celebrate healthy human sexuality, I find pornography abhorrent.[40]
>
> Christians do not have to agree on everything about pornography. Our experiences of life, our priorities, our spiritual depths and our conceptual tools differ greatly....if we in the churches are concerned that porn provides serious misinformation about about sexuality and sexual violence, then I believe we must also take very serious steps to provide accurate and sensitive alternatives - that we support rape centres, sex education, and genuine artists who may depict sex in their work.
>
> Though its primary harms may be to women and children, pornography affects all of us, for it makes serious statements about our world and human life....I believe that good theology can be helpful in clarifying what is at stake in porn. It may be due to the limits of my imagination or my theology, but I believe that no one who celebrates healthy sexuality among the many goods of God's creation can affirm pornography.[41]

Although her call is to the Churches to address the issue of 'the multiple layers of meaning in pornography, and to the connections it has to the rest of life',[42] the quest she calls them to is not one that that is exclusive but rather one that will benefit from the participation of all parties interested in furthering the dialogue. The idea of love is implicitly present as part of the motivation in appealing to the Churches to engage with pornography.

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40 Pellauer, 'Pornography', p. 652.
41 Ibid., p. 655.
42 Ibid., p. 655.

As a way of opening this next stage, we will turn to three films: Nicholas Roeg's ***Don't Look Now*** (1973), Jonathan Kaplan's ***The Accused*** (1988) and Dino De Laurentiis and Uli Edel's **Body of Evidence** (1993). All three films are well known and available. ***The Accused*** and ***Body of Evidence***, as recent films, can be bought or rented as videos. ***Don't Look Now*** is shown from time to time on television. All three films have scenes showing sexual intercourse, however the treatment of sex in each film is widely divergent.

Don't Look Now, based on a story by Rebecca West, is the tale of how a couple come to terms with the death of a child. He is an architect restoring old churches in Venice and she accompanies him on an extended trip to the city, where the bulk of the film is set. Before the film ends in tragedy, the couple find themselves rebuilding their relationship after the child's death. Part of the credible depiction of this process is the one scene of love-making in the film. The British censors have allowed the scene from its first release because, although innovative, it was seen as integral to the story.[43] The director has inter-cut the scenes of love-making with those of the couple dressing to go out to dinner, placing the sex clearly

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[43] Tom Dewe Matthews, ***Censored: the story of film censorship in Britain*** (1994), p. 215.

in context. The love-making is shown as tender and mutually affirming. It could illustrate the reference to sexual union from the marriage service:

> It is given, that with delight and tenderness they may know each other in love, and, through the joy of their bodily union, may strengthen the union of their hearts and lives.[44]

The Accused is about a waitress who is gang-raped in a roadside restaurant in America. Although the culprits are caught, a legal deal means they are imprisoned but not convicted of a rape charge. The victim is dismayed at this and persuades the lawyer to effectively re-open the case by charging some of the bystanders who cheered with the crime of 'criminal solicitation', that is inciting others to an illegal act. The film is structured in such a way that the audience only sees the rape at the end of the film and by that stage it has a very powerful impact that is not exploitative. It is shown in a way that increases the viewers' sympathy with the victim.

Body of Evidence is a different film. Elements in the plot illustrate the main actress's, Madonna's, publicly professed enthusiasm for sado-masochism. She is accused of the murder of a lover and becomes involved

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[44] ***The Alternative Service Book 1980***, p. 288.

in a passionate sexual affair with her defence lawyer. The sex scenes are not part of the development or the expression of a mutual and loving relationship. There is a degree of exploitation and exhibitionism in their presentation. Self-gratification and abuse, albeit consensual, of the sexual partner are clear themes in these scenes.

Thompson would have no difficulty in finding all three films acceptable and allowing their general release. Catherine Itzin, on her clear rejection of all material that shows non-consensual or exploitative sexual relations, would take an opposite point of view in relation to ***Body of Evidence*** and possibly to ***The Accused***. ***Body of Evidence*** shows sado-masochistic sex in an adulterous and exploitative relationship. That it is the woman who is doing the exploiting and initiating the violent sex is not especially relevant. Itzin's attitude to ***The Accused*** is less easy to identify. Although the film is not exploitative there is a danger that the rape depicted might lead to imitative behaviour and exploitative treatment of women. The other participants could argue that the risk is offset in this case by the obvious condemnation of the rape, within a film that is a thoughtful reflection on attitudes to rape. I suspect that Catherine Itzin might condone ***The Accused*** on the

grounds that it is seeking common ground with some of the problems she and her colleagues identify and are trying to redress.

Segal and McIntosh along with Pellauer would I expect find ***The Accused*** acceptable on the same grounds. It would match their categories of non-exploitative material with a discernible integrity. If there were reservations, they would match those of Itzin, focusing on the violence. Segal and McIntosh might also share common ground with Thompson, Itzin and Pellauer, when it came to considering ***Don't Look Now***.

The question is not so clear when it comes to ***Body of Evidence***. Segal and McIntosh make a persuasive case for allowing material which gives expression to homosexual preferences and minority sexual practices, such as sado-masochism. Would they find ***Body of Evidence*** to be a film that was attempting, however badly, to make a case for minority preferences? Pellauer would I think reject the film on the grounds of the exploitation involved in the central relationship, which also has no redeeming qualities.

This review of hypothetical responses to three films has shown something of how the different perspectives might view actual examples but has not overcome the

divide between the concern for the freedom to enjoy pornography and that about the harm it may cause. The other participants might ask Pellauer on what basis she makes her assessments, showing a need for Pellauer's position to be expanded. When Pellauer outlined her position it was clear that in condemning pornography she still wants to affirm 'genuine artists who may depict sex in their work.'[45] On this basis I have assumed that she with others, such as Nelson, would support the good representation of sexual relations in ***Don't Look Now*** and would do the same for different reasons when considering the rape scenes in ***The Accused.*** This choice needs to be explained.

At this point, Pellauer might avail herself of Gareth Moore's emphasis on loving action in thinking of issues in sexual ethics. This provides a model on which to base a constructive ethic of pornography and a means of assessing pornographic material. Pellauer could argue that there is a need to portray honestly what Nelson calls the 'human complexity' of sexuality, occasions on which our basically good sexual energy and its expression is corrupted or diverted into unfruitful and possibly destructive patterns. Thus there is a commitment to affirm good and thoughtful depictions of

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[45] Pellauer, 'Pornography', p. 655.

constructively expressed non-genital and genital sexual activity.[46] Similarly, the constructive exploration of the compulsive and ultimately destructive power of sexual activity should be encouraged. ***The Accused*** is a good example of this, making it clear what message the material is actually conveying. The brutal rape shown there is unlikely to provoke imitative behaviour or other possible consequences of such depictions identified by Diana Russell.[47] This necessary care in both what is actually shown and how these scenes may best be presented applies equally to the former category of good depictions of constructive sexual activity. It is contrary to the spirit of our adopted principle of the criteria of loving action to set strict guidelines on what may or may not be shown. However, in both making the suggestion and in seeking approval for it in the context of this dialogue it is

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[46] Given that nearly all relating is now understood to have a potential sexual dimension to it, it is further recognised that it is possible to have intimate relationships which give expression to the sexuality of the participants without any genital activity. Obviously, there remain those sexual relationships which seek genital expression. For one Christian's view of intimacy as here described, see: Philip Sheldrake, ***Befriending our Desires***, pp. 61-66. When talking of those latter in this context, it is not the intention to encourage the depiction of explicit genital activity in material which may be depicting active genital relationships.

[47] ***Pornography***, pp. 310-349.

necessary to be as specific as possible. Thompson and Itzin, from different perspectives, would be very interested to know precisely what is being proposed.

What limits might there be? Obviously nudity and the depiction of simulated sexual activity would be acceptable. Both may well be necessary in depicting positive and negative aspects of human sexual relations. There are sufficient examples in the contemporary cinema (such as ***Don't Look Now*** and ***The Accused***) of the ability to depict moving, passionate, intense and constructive and destructive sexual activity without showing explicit genital activity. Such a recommendation is consistent with a Christian position which argues for a special and loving intimacy, even an aspect of the sacred, being associated with genital activity. Asking or encouraging actors to engage in such activity separate from its intended purpose may contradict or undermine this perspective.

While it matters that it is possible to depict exploitative relationships, it matters equally that these are not represented in a way that is itself exploitative of either the individual actors or of either sex in general, particularly women given that they have traditionally been victims in this area.

Where exploitative or abusive relationships need to be illustrated it is essential that they are presented in a way that is honest and makes it clear that they fall short of what is meant for human fulfilment in the area of sexuality.

Pellauer could argue for male and female homosexual activity to be included in all aspects of this suggestion.[48] In this she would have the support of Segal and McIntosh. Several of the contributors to the collection of essays published as ***Sex Exposed*** make the point that homosexual pornography has a value in providing both gay and lesbian people with images which help them in their task of self-definition.[49] However, when moving on to consider the portrayal of sexual activities which may be out of the ordinary or minority interests Pellauer would find some concerned interest from Itzin.

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[48] The importance of this point is made in Vicky Cosstick's review of the film ***Priest*** (***The Tablet***, 4 March 1995, p. 296), where she comments:

> The gay sex in the film is fairly explicit - and necessary, I think, to force us to face the reality of the relationship between Greg and Graham.

[49] See the following articles in ***Sex Exposed***: Kobena Mercer, 'Just Looking for trouble: Robert Mapplethorpe and fantasies of race', pp. 92-110; Linda Williams, 'Pornographies on/scene, or diff'rent strokes for diff'rent folks', pp. 233-265; Gillian Rodgerson, 'Lesbian Erotic Explorations', pp. 275-279.

There are people who find encouragement for minority practices, such as sado-masochism through pornography.[50] Segal And McIntosh would argue, with Thompson, that this behaviour may be consensual and the activity can be part of a mutually acceptable sex life within a permanent stable relationship. The depiction of some minority practices, especially sado-masochism and bondage, raises considerable concern for Itzin. This is a particularly so where the activity is one that has been associated in traditional pornographic material with humiliation and abuse, especially that of women. Pellauer would support Itzin in arguing that in these cases it is not at all clear that the needs of individuals for such material should take precedence over the threat such material may pose to the wellbeing of either the wider population or identifiable groups such as women.

Here the dialogue connects at two levels with the difficult and unresolved concern about harm. Pellauer has allied with Itzin in rejecting depictions of even

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50 See for example the story of the housewife and active member of her parish church, who to enjoy sex with her husband requests that she is subjected to ritual acts of humiliation: in Loretta Loach, 'Bad Girls: women who use pornography', ***Sex Exposed***, pp. 266-274 (pp. 267-8). For a radical Christian feminist perspective which challenges the notion that sado-masochistic behaviour is ultimately acceptable, see Carter Heyward, ***Touching our Strength***, pp. 105-110.

consensual sado-masochistic behaviour because of their possible negative influence. Those arguing for such depictions allow that they do influence those who view them, but positively. Once influence is acknowledged, be it positive or negative, then it is difficult to resist the argument that some forms of pornography have a distinct negative influence. If we assume a positive influence of pornography, is it not also reasonable to assume a negative one? Itzin claims that there is evidence to suggest a link between the depiction of violent and abusive sex while Thompson with Segal & McIntosh are sceptical about the extent to which this is the case. Here Pellauer is helpful:

> It has by no means been proven that pornography causes sexual violence. Indeed, since widespread sexual violence predated widespread pornography, it would be difficult to prove this hypothesis. ...But the fact that there are no obvious connections between porn and sexual violence does not mean that there are no connections at all.[51]

She is clear that the risk is sufficiently high and

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[51] Pellauer, 'Pornography', p. 652. Edward Lucie-Smith echoes this point from a different perspective in his ***Sexuality in Western Art***, pp. 190 & 192:

> The most striking thing...about most representations of sexual congress in European art is their violence - the violence offered by the male to the female.
>
> Rape scenes of all kinds are common in European art of the sixteenth and seventeenth centuries and also later;...

should be addressed even though a causal link cannot be demonstrated nor can the evidence be found to support the claim of such an effect that would meet legal requirements for evidence. The remarkable thing here is not that we recognise the potential influence of pornography but rather that, in a culture dominated by powerful and effective media images, we should need persuading that the messages of pornography may influence our attitudes and actions. The concern is whether or not it can be shown to influence us in an adverse fashion over which we have little control.

At this point in the dialogue, Pellauer needs to draw on some form of structure within which to give her concerns practical expression. In wanting to affirm some depictions and reject others she could draw on the work of Margaret Miles. Miles, working within the Christian tradition with a feminist perspective, has identified three criteria by which a new and more balanced picture may emerge in the representation of females in Christian and western art. These criteria may be applied to the issue of pornography:

- that the adequate representation of women must be self-representation;

- this work of self-representation must occur in public, that is in those arenas in which the discourse that both reflects and shapes society takes place;

- there must be an attempt to develop a collective

voice in this process.[52]

These suggestions match in some degree what is already happening. There are women involved in both writing pornography and in producing films, both for heterosexual and homosexual women, which is seen to be an improving influence on what is available.[53] The particular value of these criteria lies in the fact that they help the Christian position to affirm good emphases and images in this confused area, and in that acknowledge the importance of women's voices within an

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[52] Miles, ***Carnal Knowing***, pp. 169-172.

[53] Lynne Segal (***Sex Exposed***, p. 85) describes the work of one woman in this area:

> Candida Royalle...after five years acting in sex films, decided to set up her own Femme Productions. Her films, which carry many of the traditional pornographic numbers (close-ups of heterosexual and lesbian sex, including bondage - since this is high on the list of women's fantasies) emphasize sex in the context of feelings and relationships: sensuality, foreplay and 'after-play'. [Linda Williams] suggests that now more women are seeing, discussing, buying, and - just a few - producing it, pornography has been changing along the lines of distinguishing between good (consensual and safe) and bad (coercive) sex.

See also Gillian Robertson's 'Lesbian Erotic Explorations', ***Sex Exposed***, pp. 275- 279.

emerging collective enterprise.[54] They would challenge Thompson's view of Christianity always being a negative voice in this debate and they would provide Segal and McIntosh, with Itzin, with a clear indication of what Pellauer wants to work towards. There is still a concern about how effective this approach, outlined here in dialogue, might be in challenging those activities and points of view which threaten the development of constructive views of human sexual relations.

At this point, Itzin could make a strong case for thinking more about the harm caused by pornography. She could remind Pellauer of the misunderstandings that led to the eventual withdrawal of Edwina Sandy's sculpture, ***Christa***, even though that met at least two

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[54] Pellauer could draw further support from some valuable theological attempts to rehabilitate the idea of the erotic as a powerful force in life and one consistent with the ideas of constructive human sexual relationships as outlined here. See: Paul Avis, ***Eros and the Sacred*** (1989), especially pp. 81-94; and Philip Sheldrake, ***Befriending our Desires***, pp. 19-35 & 52-72. However, the term is still contaminated by old assumptions. The Christian tradition has tended to spiritualise human love, and to contrast *eros* negatively with *agape*. This was most recently evident in Anders Nygren's influential study ***Agape and Eros*** (1953). Confusion about the idea of *eros* in some twentieth century theological writing is discussed by Gene Outka, ***Agape: an ethical analysis*** (1972), pp. 222-229 & 287-288.

of Miles's criteria. It was a work by a woman and presented in the public sphere. Further, she could point to the wider context within which any decision must apply. Two factors determine any long-term consideration of the pornography debate. The technology used for distributing pornography and for providing pornographers with a communications network that is difficult to police, mean that it will be hard to control the further expansion of pornography, especially through satellite and computer networks.[55] Secondly, there is a large market for the pornography already produced. However determined any group may be, it is not likely that they will be able to change these factors except over a long period of time.

Itzin could also make it clear that her concern is not to challenge Pellauer's position but to restate the risk in adopting a liberal attitude to pornography in the present social climate. Itzin might point to that part of her definition of pornography which accepts 'sexually explicit material premised on equality',[56] claiming that she would support Pellauer's position were it not for the threat it poses to the victims. This threat will remain until there is a more equal

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[55] See ***The Manila Declaration*** (1995), Section II.1,4 & IV.3.

[56] ***Pornography***, p. 446.

relationship between the sexes and the authorities recognise and engage with the problems posed by extreme pornographic material that all four participants reject.

Given Pellauer's concern about harm and her acknowledgement of the influence of pornography, she may accept Itzin's argument. It is less likely that Segal and McIntosh would follow because it requires more restrictions on pornographic material than they are happy with and they were already unhappy at Pellauer's rejection of the depiction of sado-masochistic material. Thompson is almost certain to oppose Itzin suggestion as adopted by Pellauer. However, it is just possible that Segal and McIntosh and even Thompson might be persuaded to think again about the possible harm of pornography. If Pellauer, who they see as being sympathetic to their essential concern to allow pornographic depictions, has reservations in this area and offers grounds for these independent of Itzin (albeit prompted by her), then they may reconsider. Neither wishes for the harm which Itzin claims for pornography. The freedom which Thompson and Segal and McIntosh want is only deferred.

iv concluding observations

This hypothetical dialogue has been constructed around four identifiable positions, three of which were set out in the last chapter. In this chapter most attention has been paid to the Christian position, for the two-fold reason that it needed most development within the dialogue and that the process of identifying limitations and challenges in relation to that position is one of the particular concerns of this thesis. The four points of view set out around the table each originated in published writings and there is a reasonable hope that the exercise developed in this dialogue might provide a good basis for further reflection.

Of the three perspectives with which the dialogue opened, Segal & McIntosh presented a valuable middle way in the area of degrees of censorship between the two extreme positions of Itzin (so much censorship that it is either impractical or undesirable) and Thompson (virtually no censorship). Their argument developed that of Thompson and put it on less individualistic grounds. He argued for freedom from censorship on the basis of an individual's right to pleasure, where Segal & McIntosh argue for the same consideration but on the grounds that some pornography has value in helping

individuals come to a sense of sexual self-identity. This may apply equally in the case of homosexuals and in that of minority sexual practices. However, this perspective came up against the important issue of the extent to which pornography may cause harm. This is where we left the dialogue at the end of the last chapter.

Pellauer suggested a way round the problem which Itzin and Thompson appeared to have no way of resolving. She acknowledged that a clear causal link would likely always elude us and at the same time accepted that there is a real risk of harm. Pellauer was required to be specific about the basis of her contribution to the dialogue. A practical application of Moore's principle from the field of sexual ethics was offered, focusing on the extent to which an action is either loving, or the habit of a loving action. Applied to the pornography debate, this idea provided a means of assessing what is depicted and the manner of its depiction. It became a determining feature of the dialogue, providing support for constructive and honest depictions of human sexual activity.

It was Pellauer's support of such depictions which meant, when she opted with Itzin for interim censorship, that Segal and McIntosh and possibly

Thompson might have been persuaded of the importance of the harm argument in relation to a wider range of material than they had previously allowed. This concluding position took seriously the initial concerns of each participant.

I hope to have demonstrated that the idea of dialogue provides both a way of entering, understanding and developing our perception of the issues involved in considering pornography. Furthermore I have shown how a Christian presence in round table dialogue may offer a positive contribution within the wider debate. While theological and ethical ideas have been implicitly present in Pellauer's contribution they have not been overt, except in the case of the general idea of loving action. The dialogue did not develop in such a way that it would have been helpful to refer explicitly to theological principles without risking losing the other participants. Pellauer's developed position is an attempt to offer a constructive view in this area, as called for by the practical theologian James A. Whyte:

> There is need for an enlightened Christian judgement to distinguish the trivial, the shoddy, the debasing from the authentic, the genuine, the human - not only in the field of pornography, for the corrupting influences of our society are by no means confined to that particular human

interest.[57]

The proposal allows individuals to affirm what they see as good, honest and constructive in the depiction of human sexuality and may thus gradually contribute to the improvement of an area of debate and concern that will not go away or readily reform itself of its own accord. Sheldrake adds a further dimension to this concern:

> Many Christians are also convinced that the wider world needs to hear a new word about sexuality and its potential spiritual depths to counteract the superficiality of much media presentation.[58]

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[57] 'On Censorship', in *A New Dictionary of Christian Ethics*, p.82.

[58] ***Befriending our Desires***, p. 64.

Chapter 9

Conclusion

I have attempted to show that round table dialogue offers Christian ethics a way of engaging with and moving beyond some of the confusion that characterises contemporary moral discourse. I opened with a review of how that confusion is differently understood. This indicated that in the conflicting understandings of the problem of communication between different traditions of moral discourse, there was still the possibility of communication. Hence, a model of round table dialogue was suggested as a method of ethical reflection. The idea for this came from a television discussion programme with a number of participants representing different views on euthanasia which illustrated precisely the problems my proposal sought to address.

This programme gave rise to a central concern in my initial investigation, which was the danger that the perspectives and skills of moral reflection developed within the Christian tradition might become excluded from or unavailable to contemporary moral discourse. The reasons for this fear are two-fold but are consequences of the declining influence of the Christian churches within western societies. Firstly there has been a diminishing interest in the points of

view of the churches in discussions of moral issues. Connected with this is an increasing inability on the part of the churches and their representatives to make contributions to moral debates in a manner in which they can be heard and applied. If Christians are to participate in moral discourse they have a responsibility to present their arguments, points of view and concerns in a fashion which can be understood and responded to by the other participants. The proposal of round table dialogue as defined here in terms of the six points attempts to address these two connected problems.

The metaphor of the round table discussion is essential to an understanding of the application of the six points of dialogue. These were identified from my own general reflections on what was important for good communication and then refined after consideration of other sources on negotiation and dialogue. These explorations in the second chapter each confirmed or developed some point of my original proposal of five of the six points and helped to shape them further. The necessary elements in a round table dialogue which might enable it to be fruitful are a sense of mutual respect, leading to trust; a commitment to the task of mutual clarification, which must be conducted on the basis of examining the rational grounds for each point

and perspective; a further commitment to reciprocity, which enables mutual learning. The fourth point is that there should be an equal commitment on the part of participants to being open-minded, both in relation to the process and to conclusions. The context of each discussion is also important in understanding the possible influence of factors outside the round table dialogue on what is being said and communicated. While these five points each still needed further refinement through application within dialogue on specific issues, the sixth point required more attention.

The idea that conclusions reached might be relative stems from the perception of reality as contingent. This point is particularly important because so many ethical traditions, especially those with a religious basis, derive their moral authority from absolute points which commonly translate into moral absolutes. Any system which seeks to find a way beyond the apparent incompatibility of conflicting moral traditions needs a way of addressing the issue of moral absolutes. In the third chapter this issue was explored initially through the idea of objectivity as it is understood by historians. This led into the more complicated and ultimately more rewarding work of Gadamer and Habermas. Particularly valuable was the debate in which they explored their ideas about 'the

unsolved problem of the origin of values.'[1] If it is accepted that we can be bound by our past and present perceptions and at the same time driven by such an urge towards freedom, which means that although we are constrained we are not ultimately denied freedom of vision or action, then we may find a way forward when considering moral absolutes. They are expressions of the constraints we live under and like them must be acknowledged and engaged with but are not beyond rational examination and criticism.

This discussion led into a consideration of how what had been learnt and developed so far about round table dialogue might be applied within Christian ethics. In chapter four various approaches to Christian ethical reflection were considered and my concern about the danger of Christian ethicists increasingly communicating only with one another was evident in some writings. This perception strengthened the need to develop a means of communicating the resources of Christian moral reflection within the wider debate. Of the six points of round table dialogue, two were identified as likely to give concern in the field of Christian ethics. One was the issue of the relative

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[1]Paul Ricoeur, 'Ethics and Culture: Habermas and Gadamer in dialogue', ***Philosophy Today***, 17 (1973), pp. 153-165 (p. 155).

nature of conclusions and the other was the extent to which Christians might honestly be committed to the principle of openness in dialogue. The first of these two concerns had been explored in the preceding chapter and was left to be addressed directly in the two case studies which would follow. The concern about openness was discussed in terms of the Christian ethicist's declared allegiance. This was something which would be evident and thus open to discussion and which need not be an obstacle to round table dialogue in itself.

Having established the initial parameters of the thesis, in terms of the six points of round table dialogue, the next stage was to apply them in ethical discussion. Euthanasia and pornography were chosen as two contrasting areas of ethical reflection. Each called for different applications of the principles of dialogue and presented opportunities to further develop and refine the proposal.

In considering euthanasia, the principles of round table dialogue proved useful as a way of analysing some of the confusion which surrounds that topic. The principles were applied to three different aspects of the euthanasia debate. Firstly, to two specific and recent cases; then to two arguments which had been formulated as contributions to the present public

discussion of euthanasia; and thirdly, in a sustained analysis of an influential moral principle, the PDE, which is often invoked in discussions of euthanasia. The principles of dialogue were most readily applied to the two arguments and in each case provided a means of assessing what was being proposed and the manner in which the evidence was offered in the argument. Further, the extent to which each proposal engaged critically and constructively with its perceived adversaries was crucial in assessing the ability of the author to contribute positively within the context of round table dialogue.

The two case studies stretched the proposal more obviously than did either of the two arguments. Neither case study was straight forward. In that they provided an accurate contemporary background against which to apply the principles of dialogue. Here, I attempted to analyse each case as a conversation between the different participants. The point of this exercise was to find a way of understanding the perspectives which might have motivated each contributor and with those factors also the constraints upon their positions and points of view. What was apparent from this application was the difficulty of applying the principles of dialogue when one participant is the legal system. It is possible to

speculate in a credible fashion about an individual's motives and intentions. It is virtually impossible to do this for something as inanimate as a system of legislation. That said, to acknowledge that a determining factor in any dialogue is the given constraints of public legislation means that the participants may be clear where they stand in relation to the difficulties of the situation. An obstacle has been identified and might then be addressed directly. If they wish to take the dialogue further it involves them in thinking how to engage with reforming the legal system and applying their skills of dialogue in conversation with those who have the power to reform the legal system.

The third area of analysis within the discussion of euthanasia provided the most sustained opportunity to apply the principles of round table dialogue. In examining the PDE, a moral theory, obviously again there cannot be a direct analysis as if it were a participant in a dialogue. It was possible to assess the PDE in terms of its compatibility with the practice of dialogue and at the same time to apply some of the principles in analysing the development and contemporary application of the PDE. The PDE could be appreciated in terms of both the changing contexts of its own development as a moral theory and in its

present application. Further it is obviously open to a sustained critical and rational analysis of its strengths and weaknesses. In addition to the application of these two principles of dialogue, the PDE also lent itself to examination in terms of the idea of the relative nature of conclusions. This involved a rather speculative series of reflections on the influence on the application of the PDE in the light of implicit negative views of death. The negative view of death which may inform those who employ the PDE was appropriate to the context of self-defence, in which St Thomas Aquinas originally developed the theory. It may still have been relevant in the second half of the nineteenth century when the PDE came to be applied in the field of medical ethics. It is questionable if it is now desirable to see death as an evil in aspects of bioethical thought which relate to care of the terminally ill. This reservation is strengthened when such a view colludes with an undesirable emphasis within contemporary medical practice.

Turning now to the examination of the ethics of pornography, the method of applying the principles is different. In contrast to the consideration of euthanasia where the two chapters were used to analyse aspects of the argument in different sections, here the

argument was developed through both chapters. In reviewing the ethics of pornography and developing an approach on the basis of Christian ethics, I have tried to imagine how a round table dialogue might develop.

Prior to dialogue, there is a need to be clear about what is meant when discussing pornography. The opening part of the second section reviewed the debate about pornography in the United Kingdom, from the ***Williams Report*** to the present. Three positions were identified around the table in opening the dialogue: one representing the lobby which favours virtually no censorship, another which from a feminist perspective is also concerned not to restrict further the freedoms of individuals in this area and a third perspective, also feminist, which argues strongly for greater restrictions on what is shown and is available in Britain. The dialogue between these positions led to an impasse. Various concerns were addressed: particularly the issue of harm and the freedom or right of the individual to view what they choose. There was no resolution. The debate needed to be widened and pursued within a discussion of human sexuality. At this point it was possible to think of trying to introduce a Christian perspective to the dialogue.

The are two reasons for leaving the introduction of any specifically Christian participation to the dialogue to this point. First, it broadly reflects the fact that there is very little Christian comment specifically on pornography that would have been able to make a contribution to the dialogue; and secondly, in the debate to this point it might have been possible for an individual Christian to participate without needing to declare their faith affiliation. If the dialogue was to develop there needed to be a change in the frame of reference which would involve declaring or developing a specifically Christian perspective.

Before the introduction of a Christian perspective, initially from the point of view of Mary Pellauer's article, it was necessary to undertake a considerable review of the Christian tradition of moral reflection in the whole area of human sexuality. Although this may have seemed as if it was going against the spirit of the thesis in focusing too much attention on the Christian tradition, in fact such a reappraisal of the tradition may often be necessary in seeking a place at the table for dialogue. In the area of sexuality, Christianity has a confused and confusing record of attitudes, actions and pronouncements. It is understandable that those with whom Christian ethicists might seek to participate in dialogue could look to

those ethicists to clarify where they stand now in relation to what their tradition has held in the past.

This process of clearing the ground led to a recognition by the other participants that there had been considerable rethinking within the Christian ethical tradition in the area of sexuality. There were parallel concerns which provided common ground for dialogue. The discussion of films enabled the participants to understand one another's positions better but did not help overcome the disagreement between the freedom to enjoy pornography and the harm it causes. Pellauer was called upon to explain further the bases of her opinions about the films. This led to the suggestion of the importance of both honesty and loving action as a way of assessing what might be acceptable. Pellauer commented upon various criteria as part of a general statement affirming some forms of pornography. This position was redefined after further consideration of the threat of harm. A possible conclusion, taking seriously the concerns of each participant but not meeting them all, emerged in the idea that a degree of censorship is necessary for the present.

This account of how the principles of round table dialogue have been presented, leads into a

consideration of how they might be further developed. The second half of this conclusion provides an analysis of the strengths of the individual points and an appraisal of the connections between them in the light of what has been learned in the two case studies. It ends with a recommendation that the principles be adopted and developed further within an actual dialogue.

There are clear connections between all six points. While some relate closely to others, each makes a valuable and distinct contribution to the process. The order of some of the points in relation to others is important. The notion of mutual respect and trust, for example, is a crucial opening point but has obvious enabling implications for the tasks of mutual clarification and mutual learning. It is also an essential precursor of the willingness to be open-minded.

Acknowledging the artificiality of the dialogues as developed here, they nevertheless give a fairly accurate indication of both the possibilities and likely difficulties of actual dialogues. In looking at the difficulties apparent at this stage three main areas are obvious. Following discussion of them, there will be observations relating to other aspects of the

applications of the principles. The first is the difficulty of facilitating dialogue when an influential factor in the case being considered is the role of the legal system.

In both the Cox and Bland cases the legal system exercised a determining influence on the dialogue. It provided a fixed point in each case: in Dr Cox's case it required him to be tried for attempted murder and in the Bland case it prevented Dr Howe from acting in the best interests of his patient as he and his patient's parents considered it. In my analysis of both cases, while I regarded the legal system as in some sense a participant in the dialogue in that it played a distinct role in the proceedings, this is a view which cannot be sustained beyond these individual examples. Inevitably in other dialogues there will be similar constraints and these should clearly be treated as part of the context within which the discussion is held. In the dialogue on pornography differing perspectives on appropriate legislation were also mentioned but these concerns were considerably removed from the main discussion within any text. Even the ***Williams Report***, which had as one of its objectives a responsibility to review legislation, was concerned to keep its recommendations in that area to a minimum.

The principle of open-mindedness is the second area of concern. In identifying this idea as a specific requirement of round table dialogue my intention was to encourage as fresh an approach as possible to each moral issue under discussion. This was to consist ideally of an openness in the individual participant's mind both as to the method of reaching any conclusion and also to the nature of what would constitute a conclusion. The aim being to limit where possible the practice of coming to the table with a preconceived notion of how the problem might be solved and with stratagems by which others might be persuaded of that opinion.

This idea is still valuable but probably more appropriate to members of a committee called together to review a problem than to the form of ethical dialogue I have attempted to construct here. Each of the voices I have drawn to the two discussions of euthanasia and pornography have been those of individuals or groups who have had particular perspectives to offer the discussion. The holding of an opinion or being persuaded of a particular point of view does not preclude being of an open mind. Nevertheless, the manner in which the opinions are held does determine the extent to which an individual participant is likely to be able to play a full part in

the proposed round table dialogue. My participants have been clear exponents of a particular perspective in relation to the issue they were discussing and I have had to emphasise their concerns in describing their participation at the table. In an actual dialogue this is something that would reveal itself gradually as the discussion developed through the exchange of ideas and perspectives.

That said, there is a third concern which is closely related to this one of openness. In both dialogues it was clear that some of the participants had ideas which challenged others in the same discussion. Ludovic Kennedy's view of some of the arguments of the Roman Catholic Church are one example, while another are the disagreements between Catherine Itzin and Bill Thompson on, among other things, the value of the 'pornography effect studies.' I am not sure in practice how well the scheme I propose would hold such disagreements. My proposal of a necessary degree of mutual respect, leading to trust, and of commitments to both mutual clarification and learning, stemming from respectively a concern to debate in terms only of rational criteria and a degree of reciprocity, sounds idealistic in the face of such overt differences of opinion.

In response I would claim that even those individuals who have identified themselves with particular perspectives on the issues under discussion have also a commitment to persuading others both of the seriousness of the issue as they perceive it and of the value of their particular point of view as a contribution towards finding a solution. With these points in mind it is realistic to think that they might welcome an opportunity for dialogue. Cobb, one of the contributors to the theory of inter-faith dialogue, mentions with approval the connected ideas that confrontation may play a positive role in dialogue and also that it is legitimate to acknowledge the role and importance of persuasion. There is virtue in being sufficiently committed to a point of view to the extent of trying to persuade others of its merits. A degree of confrontation may follow from such commitment but it need not be so much as to endanger the process of dialogue. The readiness to challenge a position is a consequence of trust.

This connects with a fourth concern that has emerged through applying the principles. The idea of mutual respect leading to trust needs clarification. It is possible to understand the mutual respect as being for the positions represented around the table. This is a necessary preliminary to the development of a sense of

trust in the process of dialogue as a whole. There is also the issue of the extent to which participants come to feel a sense of mutual respect for and ideally trust in one another. This personal regard need only be limited to the participants' role in the round table dialogue. There is a further concern to explore ways of developing a sense of mutual respect relative to participants' positions where an antagonism may be evident before the dialogue opens.

In both case studies it was clear that the contexts of each discussion were important. It is now obvious that the principle of the context of dialogue must refer to more than the wider environment of whatever issue or case is being discussed. It has a secondary importance in the sense that it refers to the framework of the discussion. In the discussion of the ethics of pornography the move to the wider context of a discussion of pornography within the realm of human sexuality enabled a new start to a dialogue that had reached a stalemate. There was no change in the external context of the dialogue.

The proposed principles of round table dialogue have been developed as a method of engaging with ethical issues. They do this primarily by providing a way beyond any possible impasse through exploring the

dynamics of any disagreement as if it were a dialogue and by examining the rational bases of the positions in the debate. It is not part of the scope of this study to identify what would constitute a conclusion to any dialogue, especially those centering around either euthanasia or pornography. It is reasonable to assume that any conclusions which might be reached should accord with the principles of dialogue. The process of dialogue might well not reconcile the conflicting points of view but should leave all participants better informed about the nature of their disagreements. Understanding where the differences and difficulties lie means that there is considerably less likelihood of feelings of frustration emerging where an obvious solution eludes the participants. The diminishment of such feelings would leave the participants or their successors more ready to re-engage in a constructive and open fashion should the dialogue resume.

At the beginning of chapter five, I mentioned that one of the rejected possibilities for pursuing an analysis of euthanasia was to invite a group of people to discuss the topic and then to reflect on their deliberations. That idea was not appropriate then because it was not clear that what emerged would be useful and the criteria by which the discussion would be assessed were not as clear as they are now. The

obvious way of seeing whether the six principles of round table dialogue will facilitate moral reflection is now to consider such a dialogue. Such a proposal would benefit from considering what might be learnt from work in areas of theology, such as the work of liberation theologians, which connect with the concerns and methods of this thesis. Furthermore there would be benefit in attempting to engage with areas of moral discourse that naturally involve discussion of ethical issues across cultural barriers.

Beyond such a suggestion, I conclude by recommending the six points of dialogue, identified and developed here, as being a useful framework within which to approach, analyse and consider moral dilemmas within a pluralist society.

Appendix 1

Power and Dialogue

> The 'dialogical man' is critical and knows that although it is within the power of men to create and transform in a concrete situation of alienation men may be impaired in the use of that power.[1]

Here Freire is making a valuable point which needs to be explicitly considered in any application of dialogue where it is possible that some of the participants may be in positions of weakness in relation to other members of the dialogical process. Although the notion of round table dialogue assumes an ideal equality between participants, this is seldom likely to be the case even in the implicitly academic model which has been set out here. Furthermore, if the model is to be applied to wider cultural and social contexts, those who convene the process of dialogue must acknowledge a responsibility to enable the presence of and contribution from individuals or groups who are involved but might be overlooked because their perceived status normally denies them the power of contributing to dialogue. All participants will need to be sensitive to those who may feel constrained by their status within the process of dialogue

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[1]Paulo Freire, ***Padagogy of the Oppressed***, translated by Myra Bergman Ramos (Harmondsworth, 1972), p. 63.

particularly in the initial and essential establishment of mutual trust. Flexibility of perspective and a will to accommodate social as well as ideological differences will be necessary. An example from one of the two case studies in this thesis would be if in the dialogue on pornography a victim wished to contribute. Then other participants would need to recognize that engagement in dialogue could be particularly difficult and costly for that person. If such a contribution were made it could enrich the dialogue for all involoved.

Appendix 2

The Manila Declaration on Pornography

What follows, including the endnote, is the complete text of the Manila Declaration issued at the end of the Conference

Recognizing a tragedy occurring on a global basis, we have gathered together to confront the problem of pornography. We join together out of a broad diversity of faith traditions, believing that unity in action is imperative if we are to protect our children's future - action that offers an increased measure of protection for those harmed by the evil of pornography throughout. We invite all persons of faith and of good will to join us in this great and good effort - that all persons, especially children, may live the lives for which they were created. Therefore, as religious leaders, together with all persons of faith and good will representing a broad cross-section of the world's faith communities:

I WE BELIEVE:

1. Sexuality is a gift from God, to be enjoyed as a positive and fulfilling part of human experience within the boundaries designed by God. It is unique among God's gifts, enabling spouses to give themselves totally to one another in self-transcending love.

2. Pornography tragically distorts that gift. Although pornography is defined differently in different cultures and faith traditions, participants are unanimous in conviction that sexually explicit material which abuses, degrades or exploits another has destructive consequences for those who consume it or are implicated in its production and distribution. It destroys relationships and communities through sexual violence against women and men, child victimization, child prostitution, sexually transmitted diseases, addiction among men, and the harmful attitudes and the negative values it teaches toward women and children.

3. Pornography is born of attitudes of greed, selfishness, commercialism and exploitation. These attitudes are reflections of the broken

human spirit, which calls for a spiritual response.

4. No longer strictly an issue of private morality, pornography has become a major economic force with vast communal ethical implications.

5. The important values of freedom of speech and increased international communication are not compromised by ensuring that children, women and men are protected from sexual exploitation.

6. Individual cultures have the right to protection from international commercial enterprises which erode culture through the distribution of degrading, violent and destructive pornography.

7. We have too long been silent toward the scourge of pornography, offering little in preventative measures and counselling, reluctant to acknowledge the problem within our own communities of faith.

II WE ACKNOWLEDGE:

1. Today the availability of pornography grows at unprecedented pace. Pornography has become a multi-billion dollar, international enterprise, with outlets in the broadcast and print media; in video, film, telephone, computers and television. Through advanced technology such as interactive CD-ROMs the formerly passive viewer of exploitation and abuse now becomes an active participant in the abuse of another. Exposure and involvement of children, in particular, has taken on unprecedented global dimensions; sex-related crime is now a global problem.

2. The content of pornographic material available throughout the world is increasingly explicit and abusive. Large quantities of pornographic material graphically depicts domination, exploitation, and sex and violence as appropriate accompaniments to human intimacy. Child pornography, itself the pictorial record of child abuse, portrays children as appropriate partners for sex, leaving lasting physical and emotional damage.

3. Government regulation is often inadequate, antiquated and seldom enforced in many countries. Differences in legislation mean that no global and few national strategies for change have been coherently developed. Too often, prosecution is a

low governmental priority and pornography offences are falsely perceived as 'victimless crimes.' Consequently punishment is often minimal.

4. International computer networks are increasingly becoming unlimited outlets for the worst and most dangerous forms of pornography. These networks are used as a market place by paedophiles to contact children for abuse and to quickly trade pictures of those already abused.

5. Sex tourism is a new growth industry, with a subsequent increase in the spread of pornography which records the painful encounters for future use.

6. Increasingly, pornography export and distribution economically exploit people, especially the poor in developing nations.

7. Pornography distribution is often enmeshed in a larger web of criminal activity. Organized criminal networks in many parts of the world play a significant role in the creation and dissemination of this material, making the problem more pervasive in its reach and more difficult to eliminate.

III WE PLEDGE ACTION THROUGH:

1. Pleading with those who actively participate in the pornography industry by production, distribution or consumption of its products to acknowledge the degradation of pornography and its offensive consequences for individuals, as well as human communities.

2. Prayer for those who exploit and those who are exploited through pornography.
- Redoubling our efforts to improve the quality of intervention and care initiatives for pornography victims and addicts.

3. Sober reflection and reform within each faith community to:
- rigorously apply the due processes of law when dealing with offenders within the religious community;
- develop appropriate religious and ethical education;
- educate for change by increasing awareness of pornography's effects;
- empower women, men and children to resist

pornography's impact;
- continue researching the effects of pornography and its links with violent crime and the exploitation of women and children.

4. A concerted approach to the existing national and international bodies of which we are respectively a part to enlist their:
- spiritual, human and financial resources;
- moral authority within our diverse cultures;
- vast infrastructures;
- capacity to educate and their multi-million member constituencies for action.

5. Charging this vast and diverse inter-religious coalition to make common cause, both nationally and internationally with other organisations devoted to the well being of the world's people and communities, including:
- law enforcement authorities;
- child welfare organisations;
- other coalitions active in the campaign against pornography and sexual exploitation;
- women's organisations;
- governmental departments responsible for welfare of children;
(internationally such organisations include, for example, UNICEF, ECPAT, World Health Organization, Interpol, International Catholic Child Bureau, European Union, etc.)

IV WE URGENTLY NEED:

1. A new religious initiative.
- We call upon the governing body of each faith group to make the protection of children and adults from sexual abuse and exploitation linked to pornography a priority - in their educational and social concern efforts.
- We advocate the establishment of national religious coalitions to combat pornography in every nation.

2. New and stronger legislation.
- We call for every nation to prohibit all aspects of child pornography, including criminalizing its production, distribution and possession.
- We call for every nation to outlaw abusive adult pornography, for instance, those materials depicting prurient sexual violence.
- We call for every nation to criminalize child sex tourism and to hold its nationals responsible for sexual conduct abroad involving children.

3. Coordinated international action against the use of new technologies for pornography distribution and consumption.
   - We call for international regulation and increased law enforcement against those who would use new channels of communication to exploit and abuse children, women and men through pornography.
   - We call on the creators and suppliers of these technologies to address the use of their products and services to market pornography, violence and sexual exploitation.

4. Recognition by governments of the seriousness of this problem.
   - We call for those countries that export pornography to devote special resources and attention to the destructiveness of their trade and attempts to stop it.
   - We call on governments to devote a ministry, department, secretariat or unit to conduct research to measure the problem, and secure the rights of children to a safe environment, by enforcement of laws and regulation of pornographic media within each nation.
   - We call on judiciary branches of government to examine the adequacy of their policies and practices of sentencing and rehabilitating of those who commit sex offences, especially against minors.

5. Increased cooperative international law enforcement efforts.
   - We call on law enforcement agencies to reallocate human and financial resources to units assigned to child exploitation and pornography offences so that adequate finances and experienced personnel might address enforcement concerns.

Many, we know, will doubt the viability and feasibility of our ambitious plans and question the capacity and energy of faith communities to pursue them. Yet, we recall that it has been just such efforts that have prevailed on a world scale in the past. the abolition of child labour, while not universal, has been globally embraced, in large measure with leadership from faith communities. Many other such examples might be cited.

Others will scoff that such matters, while distasteful to some, have little serious or widespread consequence. So too did cynics once disparage environmental, drunk driving and anti-smoking campaigns. despite disdain, each of these has proven its case, asserted its moral claim, captured public opinion and resulted in concrete

change to the betterment of all. So too will the battle against pornography and sexual exploitation be won.

To sustain and expand this effort we will look toward a 'world congress to end pornography' that will usher in an era of change. With faith groups and others, this congress will provide a venue and resource to bring to resolution a campaign now undertaken.

Our confidence derives not from ourselves, but our faith conviction in the power of moral right and the persuasiveness of enlightened self-interest. So, too, is it founded in our traditions of faith that have brought us to this day.

MANILA, 20 January 1995

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More than 160 religious leaders from 37 countries and over 40 faith groups have just ended a three-day conference on the problem of pornography, 'Protecting Our Children's Future', held in Manila, the Philippines. Organized by the broadly based Religious Alliance Against Pornography, it was attended by worldwide participants from the Roman Catholic Church, the Salvation Army, the Church of Jesus Christ of Latter-day Saints, as well as from churches in membership in the World Council of Churches, the World Evangelical Fellowship, the World Pentecostal Conference, and from many other organisations and faith groups concerned about pornography's growing number of victims - men, women and children. Experts from Christian, Sikh and the Muslim communities addressed the delegates. 'The Manila Declaration on Pornography' was issued by the conferees at the meetings conclusion.

Select Bibliography

This bibliography contains a list of all items referred to in the preparation of this thesis. Some were influential in drawing me to articulate the questions pursued here, others have been the means by which I have conducted my exploration.

In the footnotes books have the date of publication included only when they are first mentioned. Some items are referred to in the footnotes but will not be found in the bibliography. These are items consulted briefly for a specific point or indications of where wider information may be found.

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